



CITY OF FREDERICKSBURG, VIRGINIA

CITY COUNCIL

AGENDA

Council Chambers, 715 Princess Anne Street
Fredericksburg, Virginia 22401

HON. MARY KATHERINE GREENLAW, MAYOR
HON. BRADFORD C. ELLIS, VICE -MAYOR, WARD ONE
HON. KERRY P. DEVINE, AT-LARGE
HON. MATTHEW J. KELLY, AT-LARGE
HON. GEORGE C. SOLLEY, WARD TWO
HON. FREDERIC N. HOWE, III, WARD THREE
HON. BEATRICE R. PAOLUCCI, WARD FOUR

April 23, 2013

7:30 p.m.

Mayor Mary Katherine Greenlaw, Presiding

1. **Call to Order**

2. **Invocation**

Councilor Frederic N. Howe, III

3. **Pledge of Allegiance**

4. **Presentation**

A. Proclaiming May 19 as Marine Corps Historic Half Marathon Day – Rick Nealis, Marathon Director

B. Proclamation for Russ Smith

5. **Comments from the Public**

City Council provides this opportunity each regular meeting for comments from citizens who have signed up to speak before the start of the meeting. To be fair to everyone, please observe the five-minute time limit and yield the floor when the Clerk of Council indicates that your time has expired. Decorum in the Council Chambers will be maintained.

Comments that are not relevant to City business and disruptive are inappropriate and out of order.

6. **Public Hearings**

A. None

7. **Council Agenda**

A. Riverfront Taskforce – Councilor Solley

B. Riverfront Taskforce – Councilor Kelly C.

Budget 2015 – Councilor Paolucci

D. Public Works – Councilor Paolucci

E. City Taxi's/Fare Metering – Councilor Howe

8. **Consent Agenda**

A. Transmittal of the FRED Transit Progress Report – March 2013

B. Transmittal of a Report on the January Point-In-Time Count of Homeless Persons in the Planning District

C. Resolution 13-___, Adopting the Annual Action Plan for Community Development Programs

D. Resolution 13-___, Authorizing The City Manager and the Chief of Police to Execute a Law Enforcement Mutual Aid Agreement with the Stafford County Sheriff

E. Transmittal of Boards and Commission Minutes

- Economic Development Authority – March 11, 2013
- Fredericksburg Arts Commission – March 7, 2013
- Planning Commission – March 13, 2013
- Potomac & Rappahannock Transportation Commission – March 7, 2013

9. Minutes

- A. None

10. City Manager Agenda

- A. Authorization to Proceed with the Application Review Process for Installation of a Historic Plaque on Cowan Boulevard
- B. Resolution 13-__, Authorizing the City Attorney to Negotiate the Relocation of a City-Owned Right-of-Way Easement Over the Land of Gordon Yarboro in Spotsylvania County
- C. Ordinance 13-__, First Read, Amending the Refuse Collection, Water and Sewer Service Fees, Rates, and Charges for Fiscal Year 2014
- D. Ordinance 13-__, First Read, Setting the Real Estate Tax Rate at \$0.78 per Every \$100.00 of Assessed Value of Real Estate for Fiscal Year 2014
- E. Resolution 13-__, First Read, Appropriating Funds for Fiscal Year Beginning July 1, 2013 Through June 30, 2014
- F. Resolution 13-__, Authorizing the City Manager to Award a Contract for Health Insurance Administrative Services and Reinsurance to Cigna for Fiscal Year 2014
- G. Resolution 13-__, First Read – Amending the Fiscal 2013 Budget to Add to the Fund Balance Assigned for Health Insurance Claims and to Appropriate \$613,038 for Health Insurance Claims Run-Out
- H. City Manager Report
- I. Calendar

11. Adjournment



PROCLAMATION

Marine Corps Historic Half Marathon Day

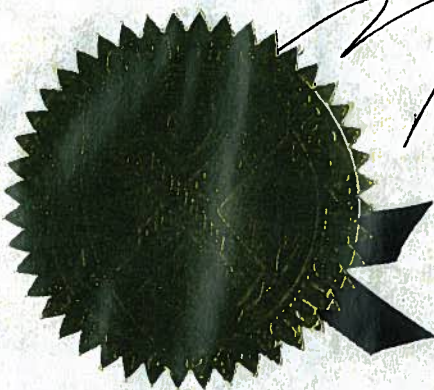
May 19, 2013

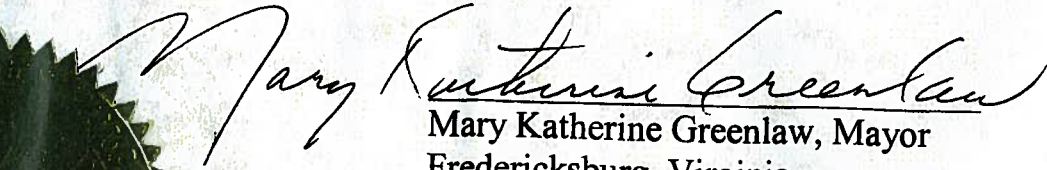
WHEREAS, the Marine Corps Historic Half is hosting 10,000 runners in three distance challenges in the City of Fredericksburg on Sunday, May 19, 2013; and

WHEREAS, the Marine Corps Historic Half highlights Fredericksburg's historic heritage blended with its vibrant present-day community, invigorating commerce, tourism and volunteerism; and

WHEREAS, the Marine Corps Historic Half promotes physical fitness, generates community goodwill and showcases the organizational skills of the United States Marine Corps.

NOW, THEREFORE, I, Mary Katherine Greenlaw, Mayor of the City of Fredericksburg, on behalf of the City Council, do hereby proclaim Sunday, May 19, 2013, Marine Corps Historic Half Marathon Day and, I encourage the citizens of this community to volunteer and cheer for the participants. I also urge Fredericksburg citizens to seize the motivation from Historic Half Weekend to lead a healthy and active lifestyle and to support the men and women of the Marine Corps and for those participating, to find the determination to achieve your running goals.




Mary Katherine Greenlaw, Mayor
Fredericksburg, Virginia



PROCLAMATION

Russ Smith

WHEREAS, *Russ Smith* became the Superintendent of the Fredericksburg & Spotsylvania National Military Park in August 2003; and

WHEREAS, during his tenure, ***Russ Smith*** has overseen the restoration of the Sunken Road to its Civil War appearance, assisted in the drafting the City's Historic Preservation Plan, interceded with the City of Waterford, Ireland, to bring the sword of Gen. Thomas Francis Meagher, commander of the famed Irish Brigade, back to the City for display, authored numerous articles on the City's Civil War history, and most importantly was a leading voice for historic preservation which is critical to Fredericksburg's future; and

WHEREAS, *Russ Smith's* preservation endeavors have been nationally recognized noting, "His advocacy has resulted in several come-from-behind victories at Fredericksburg, Chancellorsville, and the Wilderness. His strong support for preservation and his commitment to working with partners and government officials will be missed;" and

WHEREAS, *Russ Smith* has accepted the position of Superintendent of the newly established First State National Monument, the first National Park in his home state of Delaware.

NOW, THEREFORE, I, Mary Katherine Greenlaw, Mayor of the City of Fredericksburg, on behalf of the City Council and the citizens of Fredericksburg, on this the twenty-third day of April, in the year two thousand thirteen, do hereby thank ***Russ Smith*** for his selfless and dedicated contributions to preserving not only Fredericksburg's Historic character but also the historic character of the region and the nation and extend to him our very best wishes for continued success and happiness with his future endeavors.

Mary Katherine Greenlaw, Mayor
Fredericksburg, Virginia

MEMORANDUM

April 21, 2013

**To: Mayor Mary Katherine Greenlaw
Members of the City Council
Beverly Cameron, City Manager**

**From: Matthew J. Kelly
Councilman, At-Large**

Reference: Riverfront Taskforce Reorganization

ISSUE:

At our meeting on February 26, 2013 council agreed to a series of recommendations regarding the process the city would follow to secure a final design for the riverfront park. One of the recommendations approved was to, "reorganized riverfront taskforce to include, in addition to stakeholders, staff and representatives from organizations who have expertise and/or oversight regarding riverfront development or other areas deemed appropriate by the council. The taskforce would oversee a public process (public information meeting, hearings) regarding a concept design for the park for council review and approval."

The intent for reorganizing the taskforce was that it could take on the role which it first undertook in 2007 to directly engage the public to both inform and solicit input on the possible layout for a riverfront park before securing proposals for a final design.

Since that action was taken (2) e-mails were sent out with recommendations for the reorganization of the taskforce and soliciting input from council members. Received comments from Vice-Mayor Ellis, and councilors Paolucci and Howe. Also received a request from the Parks & Recreation Commission.

RECOMMENDATIONS:

The proposed changes to the taskforce are based on three criteria: 1) To include individuals or organizations which will provide expertise on regulatory issues and or who have expertise in infrastructure for on-site events, 2) As this is a city project residents for the entire city should be involved. 3) A manageable number of people. No more than (12) recommended. Initial proposal was as follows:

- 1) City Staff w/expertise on Chesapeake Bay Act-flood way issues.
- 2) City Engineer
- 3) (4) Residents one from each ward.
- 4) FOR

- 5) Celebrate VA Live/Heritage Festival. Potential entertainment users of the site.
- 6) Main Street Rep.
- 7) ACA or Rowing Rep./Recreation uses.
- 8)
- 9)

Councilor Paolucci has recommended that a member from Shiloh Old Site Church be included due to the proximity of the church to the park. The Parks & Recreation Commission has asked that as they will be responsible for administering the park that there representative remain.

Would also recommend changes in the council representation on the taskforce to ensure the involvement of the entire council in the process.

FISCAL IMPACT:

The reorganization will have no impact on the budget.



FREDERICKSBURG REGIONAL TRANSIT
History In Motion

MEMORANDUM

TO : Beverly R. Cameron, Fredericksburg City Manager
C. Douglas Barnes, Spotsylvania County Administrator
Charles Culley, Caroline County Administrator
Anthony J. Romanello, Stafford County Administrator
Travis Quesenberry, King George County Administrator
FROM : Kathleen M. Beck, Director of Public Transit
DATE : April 11, 2013
RE : March 2013 Progress Report on FRED

FRED's total ridership for the month of March 2013 was 41,359 compared to 48,305 riders in March of 2012. This decrease in ridership is explained as follows:

- FRED's service was closed because of inclement weather on March 6th and there was no morning VRE service on March 7th,
- there was one less service day in March of 2013 compared to March of 2012; and
- King George County had FRED service in March of 2012 but not in March of 2013.

The ridership for FRED's regular routes in the City of Fredericksburg for the month of March 2013 was 20,518 passengers compared to 23,569 passengers in March 2012. Ridership on the VRE feeder service in the City of Fredericksburg has increased with 801 passengers riding in the month of March 2013 compared to 591 passengers in March 2012.

The ridership for the Spotsylvania County regular routes was 6,363 passengers in March 2013 compared to the 7,238 passengers that used the FRED transit service in March 2012. The VRE feeder service from Spotsylvania County remains consistent with 2,851 passengers riding in the month of March 2013 compared to 2,820 passengers in March 2012.

Ridership on the service in Stafford County was 8,407 passengers in March 2013 compared to 10,386 passengers riding in March 2012.

Ridership in Caroline County continues to grow with 805 passengers riding in March 2013 compared to 670 passengers for March of 2012.

March 2013 RIDERSHIP

Date:	City VRE	Spotsy VRE	Spotsy VRE	City F1	City F2	City F3	City F4A	City F4B	City F5	Spotsylvania S1A	Spotsylvania S1B	Spotsylvania S4	Spotsylvania S5	Caroline C1	Caroline C2	Stafford D1	Stafford D2	Stafford D3	Stafford D4	Stafford D5	Stafford D6	FRED Express	Extras	DAILY TOTAL
	VF 1	VS 1	VS 2																					
1-Mar	30	56	50	299	139	225	231	127	193	127	76	59	81	28	28	43	112	114	45	98	10	20		2,191
2-Mar																						162		162
3-Mar																						106		106
4-Mar	42	86	59	222	161	281	200	117	177	92	92	84	104	18	13	52	112	76	32	67	4			2,091
5-Mar	42	85	65	190	140	255	215	148	162	119	71	95	76	18	10	40	71	102	70	68	26			2,068
6-Mar	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0			0
7-Mar	0	0	0	222	73	149	183	115	136	66	53	24	50	18	9	37	125	52	51	89	0			1,452
8-Mar	37	76	48	202	106	205	182	127	89	102	60	56	57	15	15	43	121	119	42	77	7			1,786
9-Mar																						172		172
10-Mar																						121		121
11-Mar	57	82	72	204	147	212	213	104	181	110	61	71	110	25	17	69	134	93	47	98	13			2,120
12-Mar	50	108	66	182	120	204	136	89	164	80	57	55	91	25	22	23	119	71	33	81	9			1,785
13-Mar	60	99	70	167	150	282	203	137	157	83	62	102	116	28	17	30	122	120	56	116	21			2,198
14-Mar	44	89	76	166	151	241	170	99	177	91	64	66	106	23	17	50	120	98	61	121	25	1		2,056
15-Mar	37	68	48	232	108	245	207	137	161	113	58	70	79	28	26	46	122	95	50	104	5	32		2,071
16-Mar																						246		246
17-Mar																						123		123
18-Mar	39	76	60	157	113	180	173	95	133	62	55	54	83	11	9	29	96	70	46	61	4			1,606
19-Mar	36	111	69	166	172	212	215	100	172	97	59	93	125	23	15	49	119	96	49	102	17			2,097
20-Mar	38	95	74	187	147	257	180	119	172	81	69	76	115	27	18	42	130	119	58	136	23			2,163
21-Mar	50	96	81	214	103	241	211	113	126	95	46	51	100	20	15	37	125	113	42	94	11	6		1,990
22-Mar	35	86	48	250	114	239	185	109	170	117	57	70	80	27	23	43	140	107	39	82	8	16		2,045
23-Mar																						217		217
24-Mar																						143		143
25-Mar	28	84	51	158	122	167	154	95	134	78	55	49	77	15	7	56	92	85	24	75	2			1,608
26-Mar	46	94	58	175	156	248	149	111	143	95	73	61	87	18	17	44	139	98	65	99	12			1,988
27-Mar	45	107	65	217	147	272	208	137	187	96	51	79	138	38	27	48	149	120	44	115	21			2,311
28-Mar	42	88	67	235	117	238	221	116	168	92	81	74	112	29	22	55	124	134	49	131	13	1		2,209
29-Mar	43	90	48	217	108	223	183	134	136	101	68	52	70	25	19	66	118	117	47	114	7	17		2,003
30-Mar																						231		231
31-Mar																								0
Total Ridership for Month																				41,359				
TOTAL # of Riders	801	1,676	1,175	4,062	2,594	4,576	3,819	2,329	3,138	1,897	1,268	1,341	1,857	459	346	902	2,390	1,999	950	1,928	238	1,614	0	0
Average Ridership Per Day	38	80	56	193	124	218	182	111	149	90	60	64	88	22	16	43	114	95	45	92	11	101		
Average Ridership Per Hour	9	29	22	18	10	17	12	14	12	8	8	5	7	2	4	4	9	9	6	8	3	7		



MEMORANDUM

TO: Beverly R. Cameron, City Manager
FROM: Charles Johnston, Director of Planning and Community Development
Marne E. Sherman, Community Development Planner
DATE: April 23, 2013
SUBJECT: Transmittal of the 2013 Point-In-Time Homeless Census

ISSUE:

Transmittal of the Fredericksburg Regional Continuum of Care's 2013 Point-In-Time Report.

RECOMMENDATION:

Staff recommends that City Council receive the report.

BACKGROUND:

On January 24 and 25, 2013, members of the Fredericksburg Regional Continuum of Care (CoC) conducted its local Point-In-Time (PIT) count of the homeless population. Over a 36-hour period, service providers interviewed clients and volunteers visited soup kitchens and outdoor locations to gather information from people who are homeless and near-homeless in the Fredericksburg area. McKinney-Vento homeless liaisons from the region's School Districts also coordinated with the CoC to calculate the number of homeless children enrolled in schools.

Over 210 individual survey questionnaires were completed. After a review of the surveys and removal of duplicates and those completed by non-homeless persons, 167 unique surveys were available to evaluate homeless adults living in Planning District 16 (PD16), which includes the City of Fredericksburg and the Counties of Caroline, King George, Spotsylvania, and Stafford. An additional 38 surveys were completed by adults who were not homeless the night of the count, but are considered at-risk of future instances of homelessness.

In addition to counting homeless individuals and families, the survey also provides information on the needs and characteristics of the population to better provide services in the future. Engaging homeless persons to provide personal information can be challenging, but in 2013, the CoC was able to offer incentives for completing the surveys through the generosity of the community. These gifts included free FRED Bus tickets donated by FREDericksburg Regional Transit, food and winter clothing supplied by the Fredericksburg Area Baptist Network, and gift cards for phone minutes and food. The CoC sponsored a Services Fair offering intake and referral information from various CoC agencies, the U.S. Veterans Administration (VA), and new in 2013, the Virginia Department of Motor Vehicles which provided 45 individuals with 50

distinct services, including the issuance of driving licenses, identification cards, and vehicle registration renewals.

Staff encourages careful review of the analysis section following each data element in Part III. Comparative Analysis of 1-Year Changes (2013 vs. 2012), especially for Section B. Homeless by Previous Fixed Address. Consistent with national census practices, the PIT report displays data which is self-reported by the homeless respondents. The data is not validated as true or false prior to acceptance; however, the CoC invited agencies to review the survey data and provide additional commentary in cases where agency records indicated something different than what was reported on the PIT survey.

FISCAL IMPACT:

The CoC uses this data to support requests for funding from federal and state government agencies. In 2012, local CoC agencies were awarded almost \$775,000 through the CoC process to assist families with transitioning from homelessness into permanent housing. Funding was also used to administer the Homeless Management Information System to ensure clients receive comprehensive services without duplication. In the last year, approximately 80 families have stabilized in permanent housing through the Pursuit of Housing Campaign and Journey Program, another 28 mothers with 43 children have received transitional housing services at Hope House prior to moving into permanent housing. These services have been provided without the use of local government funding. In addition, the stabilization of many of these individuals and families in permanent housing has reduced local costs associated with law enforcement, social services, and additional school services required by the McKinney-Vento Act.

ATTACHMENT:

2013 Point-In-Time Report



Fredericksburg Regional Continuum of Care 2013 Point-In-Time (PIT) Report

Communities across the country need to address homeless issues through government agencies and non-profit organizations working together as a Continuum of Care (CoC). Each CoC is required to undertake community-wide efforts to collect information on the number and characteristics of individuals and families experiencing homelessness. The U.S. Department of Housing and Urban Development (HUD) requires CoCs to use a method called a Point-In-Time (PIT) count at least annually for sheltered homeless persons and every two years for unsheltered homeless persons during the last ten days of January. The Fredericksburg Regional CoC conducts a PIT every year, for both populations, to more accurately track the number and the needs of the region's homeless population.

The PIT is an important tool in collecting good data on the number, characteristics, and service needs of individuals, families, and unaccompanied children experiencing homelessness. The resulting data is a critical component of local homeless planning and program development. Accurate data helps communities to:

- Understand changes in trends among homeless populations;
- Adjust the types of programs and services available according to need in order to use resources as efficiently as possible;
- Justify requests for additional resources and/or programming modifications;
- Comply with reporting requirements from HUD, other funders, and local stakeholders;
- Raise public awareness about the issue of homelessness; and
- Measure community progress toward preventing and ending homelessness.

Nationally, the PIT count process is used as the primary data source for federal agencies to understand homelessness trends and track progress against the goals and objectives contained in *Opening Doors*, the Federal Strategic Plan to End Homelessness. Additionally, the Congressionally-mandated Annual Homeless Assessment Report (AHAR) is prepared using PIT and Homeless Management Information System (HMIS) data.

Part I. 2013 Point-In-Time Count Background

On January 24 and 25, 2013, members of the Fredericksburg Regional CoC conducted its local PIT count of the homeless population. Over a 36-hour period, service providers and volunteers visited soup kitchens and outdoor locations to gather information from people who are homeless and near-homeless in the Fredericksburg area. McKinney-Vento homeless liaisons from the region's School Districts also coordinated with the CoC to calculate the number of homeless children enrolled in schools.

Over 210 individual survey questionnaires were completed. After a review of the surveys and removal of duplicates and those completed by non-homeless persons, 167 unique surveys were available to evaluate homeless adults living in Planning District 16 (PD16), which includes the City of Fredericksburg and the Counties of Caroline, King George, Spotsylvania, and Stafford. An additional 38 surveys were completed by adults who were not homeless the night of the count, but are considered at-risk of future instances of homelessness.

In addition to counting homeless individuals and families, the survey also provides information on the needs and characteristics of the population to better provide services in the future. Engaging homeless persons to provide personal information can be challenging, but in 2013, the CoC was able to offer incentives for completing the surveys through the generosity of the community. These gifts included free FRED Bus tickets donated by FREDericksburg Regional Transit, food and winter clothing supplied by the Fredericksburg Area Baptist Network, and gift cards for phone minutes and food. The CoC sponsored a Services Fair offering intake and referral information from various CoC agencies, the U.S. Veterans Administration (VA), and new in 2013, the Virginia Department of Motor Vehicles which provided 45 individuals with 50 distinct services, including the issuance of driving licenses, identification cards, and vehicle registration renewals.

Part II. 2013 PIT Summary Table for Submission to HUD

Fredericksburg Regional CoC 2013 Point-In-Time Count Results - January 24, 2013				
Persons in Households with at Least One Adult and One Child	Sheltered		Unsheltered	Total
	Emergency	Transitional		
Number of Households	12	11	0	23
Number of Persons (Adults and Children)	36	31	0	67
Number of Persons (Under age 18)	23	20	0	43
Number of Persons (18-24)	3	3	0	6
Number of Persons (Over age 24)	10	8	0	18
Persons in Households with Only Children	Sheltered		Unsheltered	Total
	Emergency	Transitional		
Number of Households	0	0	0	0
Number of Persons (Unaccompanied Children Only)	0	0	0	0
Persons in Households without Children	Sheltered		Unsheltered	Total
	Emergency	Transitional		
Number of Households	94	0	28	122
Number of Persons (18-24)	15	0	2	17
Number of Persons (Over age 24)	79	0	26	105
All Households/ All Persons	Sheltered		Unsheltered	Total
	Emergency	Transitional		
Total Households	107	11	28	146
Total Persons	130	31	28	189
Number of Persons (Under age 18)	23	20	0	43
Number of Persons (18-24)	18	3	2	23
Number of Persons (Over age 24)	89	8	26	123

Homeless Adult Subpopulations			
Chronically Homeless Subpopulations	Sheltered	Unsheltered	Total
Chronically Homeless Individuals	31	19	50
Chronically Homeless Families (Total Persons in Households)	2 (6)	0 (0)	2 (6)
Other Homeless Subpopulations	Sheltered	Unsheltered	Total
Veterans	10	5	15
Severely Mentally Ill	28	11	39
Chronic Substance Abuse	19	6	25
Persons with HIV/AIDS	3	2	5
Victims of Domestic Abuse	18	4	22
Unaccompanied Children (Under 18)	0	0	0

Part III. Comparative Analysis of 1-Year Changes (2013 vs. 2012)

A. Overall Population:

1. HUD Defined Homeless

On December 5, 2011, the U.S. Department of Housing and Urban Development revised its [definition of homelessness](#) in accordance with the HEARTH Act of 2009. The definition expanded the number of households who will qualify for federally funded homeless programs; however the definition did not change those who are counted during the PIT. HUD's [2013 PIT guidance](#) directs CoCs to report only persons and households sleeping in emergency shelters, transitional housing, and Safe Haven programs or any persons living in a place not meant for human habitation, such as cars, parks, sidewalks abandoned buildings, or on the street on the night designated for the count.

2013

HUD Defined Homeless (Surveyed):

146 adult HUD homeless

43 children HUD homeless

189 total HUD homeless

2012

HUD Defined Homeless (Surveyed):

137 adult HUD homeless

56 children HUD homeless

193 total HUD homeless

Analysis:

Overall, the number of homeless persons counted in PD16 decreased by four persons from 2012 to 2013. The slight decrease in the overall population is especially notable considering the CoC's expanded field canvassing into Spotsylvania County and additional incentives at the Services Fair. The reduction can be attributed to several efforts conducted by CoC member

agencies. Micah Ecumenical Ministries continued to implement and grow its Journey Program, successfully providing permanent supportive housing opportunities for previously chronic homeless individuals. Thurman Brisben Center (TBC) has continued to re-house families and prevent new cases of homelessness through its CoC and community funded FISH program. Hope House and Empowerhouse (formerly the Rappahannock Council on Domestic Violence) have developed new rapid re-housing programs while continuing to have high success rates in existing programs transitioning formerly homeless persons/families into permanent housing. Other CoC agencies, such as Quin Rivers, Inc., Central Virginia Housing Coalition, and the Salvation Army also serve the public in preventing new cases of homelessness.

The 2013 PIT data revealed a substantial decrease in the number of homeless children, with a twenty-three percent reduction from fifty-six children in 2012 to forty-three children in 2013. This decline can be attributed to the CoC's targeted efforts to rapidly re-house families with children. In addition, McKinney-Vento liaisons from PD16 School Districts have become more engaged with the CoC which has enhanced direct coordination with homeless service agencies to provide re-housing services for HUD homeless school-aged children and their families.

2. Additional HEARTH Act Defined Homeless

The HEARTH Act of 2009 expanded HUD's definition to include situations where a person is at imminent risk of homelessness or where a family or unaccompanied youth is living in unstable conditions. Imminent risk includes situations where a person must leave his or her current housing within the next 14 days with no other place to go and no resources or support networks through which to obtain housing. Instability includes families with children and unaccompanied youth who: 1) are defined as homeless under other federal programs (such as the Department of Education's (DOE) Education for Homeless Children and Youth program), 2) have lived for a long period without being able to live independently in permanent housing, 3) have moved frequently, and 4) will continue to experience instability because of disability, history of domestic violence or abuse, or multiple barriers to employment.

The Department of Education's Education for Homeless Children and Youth Program defines the term "homeless children and youth" in accordance with the McKinney-Vento Act, which identifies individuals who lack a fixed, regular, and adequate nighttime residence as homeless. More specifically, the term includes:

- Children and youth who are:
 - sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason (sometimes referred to as *doubled-up*);
 - living in motels, hotels, trailer parks, or camping grounds due to lack of alternative adequate accommodations;
 - living in emergency or transitional shelters;
 - abandoned in hospitals; or
 - awaiting foster care placement;
- Children and youth who have a primary nighttime residence that is a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings;
- Children and youth who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and

- Migratory children who qualify as homeless because they are living in circumstances described above.

As noted above, HUD revised its homeless definition in accordance with the HEARTH Act of 2009 to open homeless programs and services to a broader population. HEARTH Act defined homeless persons counted the night of the PIT are documented below and would be eligible to receive homeless assistance; however, the population did not meet HUD's definition for homeless persons to be reported during the PIT count.

2013

HEARTH Act Defined Homeless:

21 adults (surveyed) who were not homeless on the night of the PIT, but anticipated being homeless within 14 days following the PIT

11 children identified with adult surveys

801 children who are defined as homeless under the DOE*

833 HEARTH homeless

2012

HEARTH Act Defined Homeless:

12 adults (surveyed) who were not homeless on the night of the PIT, but anticipated being homeless within 14 days following the PIT

2 children identified with adult surveys

801 children were defined as homeless under the DOE*

815 HEARTH homeless

* The category, "children who are defined as homeless under the DOE," includes all children who have been identified as homeless by PD16 School Districts since the start of the 2012-2013 school year. This is a cumulative number, not a single night count.

Analysis:

Nine more adults, who claimed to be without housing and no place to go within 14 days following the PIT, were identified in 2013. The number of school-aged children who were defined as homeless under the Department of Education remains high as parents have lost employment, may suffer from poor credit, and/or can no longer provide stable housing for their families. These families are frequently forced to double up with friends/family or live in hotels and motels. CoC agencies have tried to coordinate efforts to identify and re-house families with children through the FISH Program at Thurman Brisben Center and the new Pursuit of Housing Campaign jointly administered by Hope House, Thurman Brisben Center, Empowerhouse, and Micah Ecumenical Ministries, but there is still a tremendous need. In April 2013, CoC agencies are applying for additional homeless prevention funding from the Virginia Department of Housing and Community Development that will be available to prevent homelessness for persons in imminent danger of losing housing.

B. Homeless by Previous Fixed Address

The 2013 PIT Survey included two questions to help identify the jurisdiction in which a respondent was permanently housed before becoming homeless. The first question asked for a specific zip code of the person's last previous fixed address and a follow up question asked for the actual jurisdiction name. Some respondents answered both questions. Some only chose to provide the jurisdiction name. Three adults (with no children) did not indicate a zip code and therefore their response defaulted to a Fredericksburg address. For this reason, a footnote has been added to the table below which clarifies that these individuals could have actually lived in Spotsylvania or Stafford Counties, but had a Fredericksburg mailing address.

2013

Homeless Population by Previous Fixed Address	HUD Homeless Adults	HUD Homeless Children	HUD Homeless Subtotal	% of HUD Homeless Subtotal	HEARTH Homeless Adults	HEARTH Homeless Children	HEARTH Homeless Subtotal	% of HEARTH Homeless Subtotal	Grand Total of HUD + HEARTH Homeless	% of HUD + HEARTH Homeless
Caroline	4	0	4	2.1%	2	56	58	7.0%	62	6.1%
Fredericksburg*	31	6	37	19.6%	2	60	62	7.4%	99	9.7%
King George	1	0	1	0.5%	5	45	50	6.0%	51	5.0%
Spotsylvania	34	18	52	27.5%	3	407	410	49.2%	462	45.2%
Stafford	26	1	27	14.3%	3	239	242	29.1%	269	26.3%
Other VA	19	9	28	14.8%	3	2	5	0.6%	33	3.2%
Outside VA	29	9	38	20.1%	2	3	5	0.6%	43	4.2%
Unknown	2	0	2	1.1%	1	0	1	0.1%	3	0.3%
Total	146	43	189	100.0%	21	812	833	100.0%	1022	100.00%

*A Fredericksburg mailing address could be located in portions of Stafford or Spotsylvania Counties.

2012

Homeless Population by Previous Fixed Address	HUD Homeless Adults	HUD Homeless Children	HUD Homeless Subtotal	% of HUD Homeless Subtotal	HEARTH Homeless Adults	HEARTH Homeless Children	HEARTH Homeless Subtotal	% of HEARTH Homeless Subtotal	Grand Total of HUD + HEARTH Homeless	% of HUD + HEARTH Homeless
Caroline	6	4	10	5.18%	0	36	36	4.42%	46	4.56%
Fredericksburg*	39	14	53	27.46%	5	47	52	6.38%	105	10.42%
King George	3	0	3	1.55%	0	101	101	12.39%	104	10.32%
Spotsylvania	33	19	52	26.94%	1	380	381	46.75%	433	42.96%
Stafford	29	13	42	21.76%	0	238	238	29.20%	280	27.78%
Other VA	17	6	23	11.92%	4	1	5	0.61%	28	2.78%
Outside VA	10	0	10	5.18%	2	0	2	0.25%	12	1.19%
Total	137	56	193	100.00%	12	803	815	100.00%	1008	100.00%

*A Fredericksburg mailing address could be located in portions of Stafford or Spotsylvania Counties.

Analysis:

The distribution of homeless persons by previously fixed address shows that the majority of HUD homeless persons (sixty-five percent) were last permanently housed within PD16, mostly from Fredericksburg, Spotsylvania and Stafford; however the number who reported a last fixed address from outside of the region increased. Two sheltering agencies were asked to explain the elevated number of clients who reported a previous fixed address outside of PD16. Each reviewed the client records and determined that fifteen adults with sixteen children were living with family, friends, or another location within PD16 prior to entering the shelter. While this analysis can only clarify the data provided by homeless respondents, a reduction of thirty-one persons who were reported above to have a previous fixed address outside of PD16 reduces the combined percentage of Other VA and Outside VA to only nineteen percent and only slightly higher than what was reported in 2012.

The 2013 PIT notes a decrease in homeless children as defined by HUD from fifty-six in 2012 to forty-three in 2013. The 2013 PIT results also note that the largest number of homeless children, defined by the Department of Education (HEARTH Homeless Children), are identified in Stafford and Spotsylvania School Districts; however the number of school aged homeless has increased in all jurisdictions with the exception of King George.

C. Chronically Homeless

HUD revised its definition of chronically homeless to include both individuals and families who are living in a place not meant for human habitation or in emergency shelter. Specifically, an unaccompanied homeless individual (18 or older) with a disabling condition or a family with at least one adult member (18 or older) who has a disabling condition who has either been continuously homeless for a year or more OR has had at least four (4) episodes of homelessness in the past three (3) years is considered to be chronically homeless.

2013

Of the 189 HUD homeless:

56 total persons were chronically homeless as defined by HUD

133 adults and children were homeless, but were not chronically homeless

Of the 56 persons who were chronically homeless as defined by HUD:

50 adults were chronically homeless individuals as defined by HUD

2 families with children (3 adults and 3 children) were chronically homeless as defined by HUD

2012

Of the 193 HUD homeless:

63 total persons were chronically homeless as defined by HUD

130 adults and children were homeless, but were not chronically homeless

Of the 63 persons who were chronically homeless as defined by HUD:

47 adults were chronically homeless as defined by HUD

7 families with children (7 adults and 9 children) were chronically homeless as defined by HUD

Analysis:

The total number of chronically homeless persons decreased by seven, from sixty-three persons in 2012 to fifty-six persons in 2013. The reduction included a seventy-one percent decline in the number of chronically homeless families with children from seven families in 2012 to only two families in 2013. The decrease is likely related to efforts of the CoC to move long-standing street homeless into permanent housing and to rapidly re-house families with children avoiding a prolonged or repeated episode of homelessness. As of January 2013, Micah Ecumenical Ministries has assisted more than one hundred and twenty individuals to obtain permanent supportive housing and maintains an inventory of approximately fifty permanent housing beds with varying levels of support and case management. Micah also reports that eight people who were counted as chronically homeless during the PIT have been stabilized in permanent housing and that four more persons are in the process for placement in housing.

D. Families with Children

Ending homelessness among households with children, particularly for those households living on the streets or other places not meant for human habitation, is a specific HUD priority.

2013

Of the 146 HUD homeless completed surveys:

23 households are families with children (24 adults with 43 children)

122 are individuals with no children

2012

Of the 137 HUD homeless completed surveys:

28 households were families with children (28 adults with 56 children)

109 were individuals with no children

Analysis:

The number of HUD homeless households with children decreased by five, from 28 in 2012 to 23 in 2013. The overall number of homeless children decreased significantly from fifty-six in 2012 to forty-three in 2013. The CoC recognizes that many families are homeless or living in unstable conditions (doubled up or in hotels/motels) as noted by the number of homeless children identified through the Department of Education. The CoC continues to target homeless families with children for re-housing efforts through the Pursuit of Housing Campaign and other re-housing and prevention programs.

E. Unaccompanied Children

The term “unaccompanied children” refers to homeless persons who are under age 18 and living independently of any family or adult caregiver.

2013

Of the 43 HUD homeless children:

0 children are identified as unaccompanied children (minors)

2012

Of the 56 HUD homeless children:

0 children were identified as unaccompanied children (minors)

Analysis:

In 2012 and 2013, the number of reported HUD homeless unaccompanied children was zero. McKinney-Vento liaisons within the School Districts have identified unaccompanied youth under the Department of Education definition of homelessness, however the location of residence (ie, sheltered, unsheltered, housed, etc) for the children could not be verified on the night of the PIT count and therefore cannot be included in the report to HUD.

F. Veterans

In past years, data on the number of veterans experiencing homelessness often differed across data sources (e.g., HUD PIT, VA CHALENG). This inconsistency was largely because of different methodological approaches to collecting the information. In 2011, HUD and the VA agreed to use the HUD PIT count as the definitive federal estimate of veteran homelessness. In 2013, HUD identified homeless veterans who are women as a new subpopulation.

2013

Of the 146 HUD homeless adults:

21 adults identified themselves as Veterans

Of the 21 HUD homeless adult Veterans (can be in multiple categories):

1 adult had 1 child

5 adults were women

7 adults are chronically homeless as defined by HUD

16 adults were sheltered and 5 adults were unsheltered

2012

Of the 137 homeless adults:

15 adults identified themselves as Veterans

Of the 15 HUD homeless adult Veterans (can be in multiple categories):

1 adult had 1 child

1 adult was a woman

4 adults were chronically homeless as defined by HUD

10 adults were sheltered and 5 adults were unsheltered

Analysis:

The number of HUD homeless veterans increased by six, from fifteen in 2012 to twenty-one in 2013. This is the largest number of homeless veterans since the 2009 PIT report which accounted for twenty-seven cases. This change is attributed to new veterans returning from the wars in Afghanistan and Iraq without employment or suffering from post-traumatic stress disorder. Thirteen persons (sixty-two percent) reported a period of homelessness of less than six months; however five of those have reported multiple episodes of homelessness. Thirty-three percent of the total reported that unemployment was a factor in becoming homeless. Thirty-five percent of the total indicated a need for mental health services. The Wounded Warrior Foundation has an office available through the Rappahannock Area Community Services Board to serve local residents, including homeless veterans. This agency coordinates with the VA in Richmond to provide VASH vouchers, which can provide housing assistance for homeless veterans. The VA also has a regular presence at Micah to better connect homeless veterans with resources including medical care and mental health services, since only twenty-nine percent of homeless veterans reported to receive care at the VA hospital in Richmond.

In an effort to reduce the number of homeless and at-risk veterans, CoC agencies will target homeless veterans in their CoC funded programs. In February 2013, Quin Rivers Inc. applied for Supportive Services for Veteran Families (SSVF) funding to provide supportive services to very

low-income homeless Veteran families living in or transitioning to permanent housing. The application is still pending. Micah Ecumenical Ministries will provide permanent supportive housing assistance for homeless veterans during 2013-2014 through its Journey Program.

Part IV. Additional 2013 Data and Characteristics

This data is derived from 146 Homeless Respondent (Adult) surveys unless otherwise noted.

A. General

Gender: 60% Male 40% Female

Race: 54% White 40% Black/African American 3% Other
 1% White and Black 1% Native American 1% Asian
 /African American

Ethnicity: 93% Non-Hispanic
 7% Hispanic

Veterans: 14% (21)

Age: Minimum: 19 Maximum: 66
 Average/Mean: 40

Households with children under age 18 with them: 23

(Note: one household has two adult members.)

Of these, 52.2% (12) have 1 child with them
 17.4% (4) have 2 or more children with them
 30.4% (7) have 3 or more children with them

Of the total number (43) of children,
 49% (21) are children ages 4 and under
 51% (22) are children ages 5-17

Foster Care: 14% (20)

Of 20 respondents, 5 left foster care for reunification or adoption

Highest Level of Education Completed (145 respondents):

High School Diploma	45% (65)
Less than High School Completion	20% (29)
GED	15% (22)
Some College	8% (11)
Associates Degree	6% (8)
Bachelor's Degree	4% (6)
Trade School/Vocational	1% (2)
Master's Degree/Doctorate	1% (2)

Enrolled in Special Education/Special Classes: 16% (24)

Transportation (143 respondents):

FRED	36% (52)
Walk	30% (41)
Automobile	19% (27)
Bike	7% (10)
None	6% (9)
Friend/Relative	1% (2)
Taxi	1% (2)

Employment:

No Job Noted	70% (102)
Employed Full-time	13% (19)
Employed Part-time	13% (19)
Day Labor	4% (6)

Years Living in Area: Minimum: unknown Maximum: 61 years Average/Mean: 11 years

<6 months	20%
6-12 months	10%
1-5 years	23%
6-10 years	14%
>10 years	33%

Reasons for Coming to the Area (Overall Population):

Family/Friends	30%
Relocation	19%
Born here	13%
Other	10%
Job/Work	9%
Homeless services	6%
DV/Abusive situation	4%
Released from Prison	4%
Traveling/Got Stuck	3%
Cost of Living	1%
School	1%

Where Respondents Slept Last Night:

Thurman Brisben Center	35%
Cold Weather Shelter	23%
Outdoors	16%
Hope House	8%
RCDV	6%
Friend/relative	5%
Respite	3%
Motel – Paid by Church/ Organization	2%
Vehicle/Bus	2%
Hospital	1%
Jail	1%
Other	1%

Where Respondents will Sleep Tonight:

Thurman Brisben Center	34%
Cold Weather Shelter	29%
Outdoors	14%
Hope House	8%
RCDV	6%
Respite	3%
Vehicle	2%
Motel – Paid by Church/ Organization	2%
Other	1%
Don't know	1%

B. Factors of Homelessness

First Time Homeless?

Yes:	38%
No:	62%

Of those who were previously homeless, the number of times homeless in the last 3 years:

1 time:	36%	4-5 times:	14%
2-3 times:	48%	Greater than 5 times:	2%

Chronically Homeless: 36% (53)

How long has the Respondent been Homeless?

Less than a year	62%
1-2 years	18%
3-5 years	14%
6-10 years	4%
10+ years	2%

Factors Contributing to Homelessness: (not exclusive categories, can choose more than one)

Unemployment	50% (73)
Eviction/ Foreclosure	14% (21)
Domestic Violence	14% (20)
Wages/ Underemployment	13% (19)
Criminal History	13% (19)
Substance Abuse	12% (18)
Illness	10% (15)
Credit	9% (13)
Divorce	8% (11)

C. Services

Number who said they have the following services (2012 PIT in brackets):
(not exclusive categories, can choose more than one)

Emergency Shelter	91 (71)	Disability Services	13(16)
Permanent Housing	4 (7)	Dental	6 (17)
Transitional Housing	16 (16)	Medical	21 (27)
Legal Aid	2 (13)	HIV/AIDS Services	2 (5)
Substance Abuse Services	14 (16)	Employment Training	6 (18)
Mental Health Services	16 (22)	Social Security Benefits	18 (20)
Domestic Violence	11 (14)	Unemployment Benefits	2 (11)
Child Care	7 (8)	TANF	9 (15)
Food	53 (67)	Food Stamps	77 (76)
Transportation	20 (48)		

Number who said they need the following services (2012 PIT in brackets):
(not exclusive categories, can choose more than one)

Emergency Shelter	23 (32)	Disability Assistance	35(31)
Permanent Housing	128 (112)	Dental	64 (79)
Transitional Housing	41 (54)	Medical	53 (50)
Legal Aid	30 (33)	HIV/AIDS	2 (0)
Substance Abuse Services	15 (9)	Employment Training	49 (43)
Mental Health	31(19)	Social Security Benefits	13 (35)
Domestic Violence	9 (8)	Unemployment Benefits	19 (20)
Child Care	17 (15)	TANF	7 (7)
Food	50 (39)	Food Stamps	40 (20)
Transportation	86 (56)		

D. Medical

Insurance:

None	61.7% (90)
Medicaid	21.2% (31)
Medicare	4.8% (7)
Veterans' Aid	4.8% (7)
Private	4.8% (7)
Medicare/Medicaid	2.7% (4)

How many times to the hospital emergency room in the last three months?

None	60%
Once	12%
Twice or more	28%

Inpatient in the hospital in the last year?

None	66%
Once	14%
Twice or more	20%

Where do you go when you need to see a doctor?

Hospital/ER	40%
Moss Free Clinic	21%
Nowhere	14%
Primary Care Physician	8%
Urgent Care	6%
VA Clinic – Richmond	4%
Other in PD16	3%
Other outside PD16	2%
Health Department	1%
RACSB	1%



MEMORANDUM

TO: Beverly R. Cameron, City Manager
FROM: Charles Johnston, Director of Planning and Community Development
Marne E. Sherman, Community Development Planner
DATE: April 23, 2013
SUBJECT: Approval of 2013-2014 Annual Action Plan

ISSUE:

Approval by City Council of the Community Development Block Grant (CDBG) 2013-2014 Annual Action Plan.

RECOMMENDATION:

Staff recommends that City Council approve the attached resolution, approving the draft Annual Action Plan and authorizing staff to forward the document to the United States Department of Housing and Urban Development (HUD) by the deadline date of May 15, 2013.

BACKGROUND:

The City of Fredericksburg is required to prepare an Annual Action Plan to participate in federal community development and housing programs. This Plan is the proposed implementation of the fourth annual phase (2013-2014) of the City's Consolidated Plan for Community Development Programs (2010).

The Annual Action Plan outlines projects that will specifically address housing and homeless needs for qualified individuals. The eligibility threshold for community development programs, as defined by HUD, is persons and families whose household income is 80 percent of the area median income or below. According to the Census Bureau's 2009 American Community Survey (2006-2008 data), which is the mostly recently released dataset analyzing the population by HUD income levels, the total number of households in Fredericksburg that could be classified as low- and moderate-income is 5,540 or 64.72 percent of the City's households.

Highlights of the Plan include issuing funds to various non-profit organizations lending services to eligible applicants. Their services include legal aid, health counseling, financial counseling, food, and providing emergency utility and rental payments to eligible City residents. Services under direct management of the Planning Department include the Direct Homeownership Assistance Program, which provides closing costs, down payments and/or equity payments to eligible applicants, the Emergency Repair Program, which provides needed plumbing, electric, and roofing repairs for eligible homeowners in the City, and the Removal of Architectural

Barriers Program which provides modifications to residences to increase the ability of people with disabilities to live and function more independently.

The 2013-2014 CDBG budget is based upon a five percent reduction in the 2012-2013 CDBG award resulting in \$132,535 available in funding. HUD has not formally released the 2013-2014 annual budget as of this report; therefore, changes may occur to final budgets after Council approval.

CITIZEN PARTICIPATION:

In accordance with the City's adopted Citizen Participation Plan, a public hearing was held on February 26, 2013, to obtain citizen comment during Plan development but there were no speakers. Staff advertised this hearing in the Free Lance-Star newspaper (February 12 and 19) and notified neighborhood organizations and churches directly (letters sent on January 16, 2013), to give these organizations sufficient time to make announcements at their regularly scheduled meetings. This notice included the amount of CDBG funds expected to be available, locations where the Plan could be reviewed, and a note that the Plan could be made available in another form, if necessary, to make it accessible to persons with disabilities.

On March 8, 2013, the Community Action Specialist from disability Resource Center proposed changes to text in accordance with "people first" terminology where the Plan referenced people with special needs. Staff made the requested changes.

A public notice, including a summary of the Plan, was published in the Free Lance-Star newspaper on March 19, 2013. The notice opened a 30-day public review and comment period for Plan. Additional notices were distributed to individual neighborhood organizations, churches, non-profits and interested citizens on March 15, 2013. The Fredericksburg Regional Continuum of Care (CoC) received notice at its meeting on March 13, 2013. City staff extended offers to each of these groups to present the draft plan at a community and/or church meeting.

During the public comment period, the full plan was available for review at the Central Rappahannock Regional Library Headquarters, City Hall, and on the City's website. On March 21, 2013, staff attended the Mayfield Civic Association meeting and presented the plan. Several attendees asked questions about the application process and program benefits but did not propose changes to the document. No public comments were received during the 30-day public comment period. The public comment period closed on April 18, 2013, and staff finalized the document for consideration by the City Council.

FISCAL IMPACT:

An anticipated grant amount of \$132,535 will fund the services outlined in the Annual Action Plan. These federal funds come directly from HUD and are exclusive of the City General Fund. A match amount of approximately \$62,700 in City General Funds will be required to cover a portion of the CDBG administration costs; however these costs also cover some Planning and Community Development functions.

ATTACHMENTS:

Resolution and 2013-2014 Annual Action Plan



MOTION:

April 23, 2013

SECOND:

**Regular Meeting
Resolution No. 13-**

**RE: APPROVAL OF THE 2013-2014 COMMUNITY DEVELOPMENT
BLOCK GRANT ANNUAL ACTION PLAN**

ACTION:

WHEREAS, the City of Fredericksburg, Virginia receives annual funding under the Community Development Block Grant program to address critical community development needs; and

WHEREAS, the Planning and Community Development Department, which administers these funds, has developed an Annual Action Plan for submittal to the United States Department of Housing and Urban Development (HUD), to show how these funds will be expended; and

WHEREAS, the City has provided an opportunity for and invited public participation during preparation of the Annual Action Plan.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Fredericksburg in Virginia, pursuant to a full public participation process, approves the 2013-2014 Annual Action Plan.

BE IT FURTHER RESOLVED that the City Manager is authorized to forward the approved Action Plan to HUD, for further review and approval.

Clerk's Certificate

I, the undersigned, certify that I am Clerk of Council of the City of Fredericksburg, Virginia, and that the foregoing is a true copy of Resolution No. 13- duly adopted at the City Council meeting held April 23, 2013 at which a quorum was present and voted.

***Tonya B. Lacey
Clerk of Council***

CITY OF FREDERICKSBURG, VIRGINIA



COMMUNITY DEVELOPMENT BLOCK GRANT
ANNUAL ACTION PLAN
DRAFT

PROGRAM YEAR 2013/2014

(JULY 1, 2013 TO JUNE 30, 2014)

Prepared by: Office of Planning and Community Development

ACTION PLAN

TABLE OF CONTENTS

<u>Subject</u>	<u>Page Number</u>
EXECUTIVE SUMMARY	5
INTRODUCTION.....	7
COMMUNITY DESCRIPTION	7
COMMUNITY DEVELOPMENT NEEDS	7
PLAN DEVELOPMENT PROCESS	7
CITIZEN PARTICIPATION	8
STANDARD FORM 424	9
RESOURCES.....	11
FEDERAL RESOURCES.....	11
NON-FEDERAL RESOURCES - STATE.....	12
NON-FEDERAL RESOURCES - LOCAL.....	12
PRIVATE RESOURCES - FOR-PROFIT.....	12
PRIVATE RESOURCES - NON-PROFIT.....	12
ACTIVITIES TO BE UNDERTAKEN.....	14
LOW/MODERATE INCOME BENEFIT	14
FUNDING SOURCES.....	14
LISTING OF PROPOSED PROJECTS.....	16
GEOGRAPHIC DISTRIBUTION	26
HOMELESS AND OTHER SPECIAL NEEDS ACTIVITIES	28
EMERGENCY SHELTER.....	28
TRANSITIONAL HOUSING.....	29
PERMANENT SUPPORTIVE HOUSING	29
HOMELESS PREVENTION.....	29
SPECIAL NEEDS	30
OTHER ACTIONS	31
REMOVING OBSTACLES TO MEETING UNDERSERVED NEEDS.....	31
FOSTERING AND MAINTAINING AFFORDABLE HOUSING	31
REMOVING BARRIERS TO AFFORDABLE HOUSING	32
EVALUATING AND REDUCING LEAD-BASED PAINT HAZARDS.....	32
REDUCING THE NUMBER OF POVERTY LEVEL FAMILIES	33
DEVELOPING INSTITUTIONAL STRUCTURE	33
ENHANCING COORDINATION.....	33
PUBLIC HOUSING IMPROVEMENTS AND RESIDENT INITIATIVES.....	33

FAIR HOUSING.....	34
RAISING VISIBILITY OF FAIR HOUSING STATUTES AND THE COMPLAINT PROCESS	34
CONSIDERING INCENTIVES AND ALTERNATIVE FUNDING TO ENCOURAGE AND INCREASE AFFORDABLE HOUSING	34
INCREASING LANDLORD AND RESIDENT AWARENESS AND KNOWLEDGE OF FAIR HOUSING.....	34
ASSISTING RESIDENTS WITH SPECIAL NEEDS TO HAVE FULL ACCESS TO HOUSING AND SERVICES	35
ENSURING CREDIT COUNSELING IS AVAILABLE AND TARGETED.....	35
ENSURING ORDERLY TRANSFERS OF PROPERTY ASSETS TO FACILITATE HOME IMPROVEMENT LOANS	35
WORKING TO REDUCE NIMBYISM.....	35
MONITORING STANDARDS AND PROCEDURES.....	36
PROGRAM INCOME.....	36
PERFORMANCE MEASUREMENT	37
OBJECTIVES.....	37
OUTCOMES	37
CERTIFICATIONS.....	39

MAPS

Map 1. Project Area.....	27
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EXECUTIVE SUMMARY

According to the U.S. Census Bureau's 2006-2008 American Community Survey, 5,540 households, or 64.72 percent of the households in the City of Fredericksburg met the Department of Housing and Urban Development's (HUD) definition of low or moderate income (LMI) households. These households have an increasingly more difficult time finding or maintaining affordable housing and other fundamental community services. They have limited funds to meet daily needs and to ensure safe and stable living environments for their families. The City of Fredericksburg uses its Community Development Block Grant (CDBG) funds to provide qualifying individuals and families with necessary housing assistance and public services.

This is the City of Fredericksburg's fourth Annual Action Plan from the 2010 Consolidated Plan (5-year strategic plan). It identifies activities that the City will undertake in the 2013-2014 program year to address priority needs in the community. The Plan describes the resources available, the programs and projects to be funded and the proposed accomplishments for the 2013-2014 program year.

A total of \$132,535 is available for programming to carry out the Action Plan activities for the next program year. This amount represents a five percent reduction from the 2012-2013 program year allocation. Subsequently the objectives for 2013-2014 are reduced by approximately five percent and will likely not achieve the 2010 Consolidated Plan goals.

Current objectives include owner occupied emergency housing repair for 7 units, removal of architectural barriers for 2 units, emergency grant assistance to prevent eviction and intense financial counseling for 12 LMI individuals, legal assistance and awareness for 140 LMI people, HIV/AIDS support services for 7 LMI people, providing food for 200 elderly or disabled LMI individuals, closing costs and/or down payment assistance for 2 LMI families purchasing a home in the City, furthering fair housing initiatives, and general program administration. The Action Plan outlines other housing and community development actions to be taken in accordance with the Consolidated Plan including the prevention of homelessness, the reduction of lead-based paint hazards, removal of barriers to affordable housing development, and addressing underserved needs.

INTRODUCTION

The Action Plan is developed with active citizen participation and serves as the City's application for federal funds under the Community Development Block Grant (CDBG) program. This document identifies how the City intends to address housing and homeless needs during the next program year and is submitted to the U.S. Department of Housing and Urban Development (HUD), which is the funding agency. This Plan also provides a basis for assessing the City's community development effort.

COMMUNITY DESCRIPTION

Historically, Fredericksburg's fortunes have been closely related to its function as a transportation hub. Maritime trade, roads into the wilderness, and railroad development have all brought opportunities for development. Today, major north/south highways, and a railway, ensure the City's continued prominence in the rapidly growing Northern Virginia area. Fredericksburg has become an outer suburb of the Washington, D.C. metropolitan area and is included in the Washington – Baltimore, D.C. – MD – VA – WV Combined Metropolitan Statistical Area.

COMMUNITY DEVELOPMENT NEEDS

The eligibility threshold for community development programs, as defined by HUD, is persons and families whose household income is 80 percent of the area median income or below. Within this category are several sub-categories. **Extremely low-income families**, for example, are those whose income is between 0 and 30 percent of the area median. **Low-income families** are defined as those whose income is between 30 and 50 percent of the area median. Qualifying **moderate-income families** have incomes between 50 and 80 percent of area median.

According to the U.S. Census Bureau's 2006-2008 American Community Survey (ACS), there were 8,560 households in Fredericksburg at the time of the count. Using HUD criteria, 3,885 households were considered low income, with incomes at 50 percent of the area median income or below. Another 1,655 households were determined to be moderate-income, with incomes between 50 and 80 percent of area median. The total number of households in Fredericksburg that could be classified as low- and moderate-income was 5,540 or 64.72 percent of the City's households which is an increase of over 1,000 low- and moderate-income households above the 2000 Census data.

PLAN DEVELOPMENT PROCESS

The City of Fredericksburg is required to prepare an Action Plan to participate in federal and state community development and housing programs. This Plan is the proposed implementation of the third annual phase (2013-2014) of the City's Consolidated Plan for Community Development Programs (2010).

CITIZEN PARTICIPATION

In accordance with the City's adopted Citizen Participation Plan, a public hearing was held on February 26, 2013, to obtain citizen comment during Plan development. Staff advertised this hearing in the Free Lance-Star newspaper (February 12 and 19) and notified neighborhood organizations and churches directly (letters sent on January 11, 2013), to give these organizations sufficient time to make announcements at their regularly scheduled meetings. This notice included the amount of CDBG funds expected to be available, locations where the Plan could be reviewed, and a note that the Plan could be made available in another form, if necessary, to make it accessible to persons with disabilities.

City Council held a public hearing for input on the development of the Annual Action Plan on February 26, 2013, but there were no speakers. The lack of speakers does not indicate a lack of interest, though. City staff maintains a close liaison with neighborhoods throughout the year during which time public comments are solicited and provided. In this context, a formal public hearing provides an opportunity for comment, but can also be redundant.

On March 8, 2013, the Community Action Specialist from disability Resource Center proposed changes to text in accordance with "people first" terminology where the Plan referenced people with special needs. Staff made the requested changes.

A public notice, including a summary of the Plan, was published in the Free Lance-Star newspaper on March 19, 2013. This notice opened a 30-day public review and comment period for the draft plan. Additional notices were sent to individual neighborhood organizations, churches, non-profits and interested citizens on March 15, 2013. The Fredericksburg Regional Continuum of Care (CoC) received the notice on March 13, 2013. Staff also announced the opportunity for public comment at the February 13, 2013 CoC meeting. City staff extended offers to each of these groups to present the draft plan at a community and/or church meeting.

During the public comment period, the full plan was available for review at the Central Rappahannock Regional Library Headquarters, City Hall, and on the City's website. On March 21, 2013, staff attended the Mayfield Civic Association meeting and presented the plan. Several attendees asked questions about the application process and program benefits but did not propose changes to the document. No public comments were received during the 30-day public comment period. The public comment period closed on April 18, 2013, and staff finalized the document for consideration by the City Council.

STANDARD FORM 424

Standard Form 424 (on the reverse of this page) is the official application by the City of Fredericksburg to the U.S. Department of Housing and Urban Development for its Community Development Block Grant annual entitlement.

RESOURCES

FEDERAL RESOURCES

Community Development Block Grant (CDBG)

The CDBG program is targeted toward the development of viable urban communities. Its primary beneficiaries are low- and moderate-income persons/households. The City receives grant money directly from HUD, according to a statutory formula that measures the needs of the community.

Eligible activity types are numerous and include neighborhood revitalization, economic development, provision of improved community facilities, prevention and elimination of slums, and other activities assisting low- and moderate-income families.

Continuum of Care Funding

For the 2013-2014 program year, four local programs will receive funding through the Continuum of Care (CoC) Federal renewal awards. Three applications including the CoC Planning Grant and two permanent supportive housing program applications by Micah Ecumenical Ministries are pending announcement from HUD.

The George Washington Regional Commission received a one-year renewal award in the amount of \$58,374 for continued administration of the local Homeless Management Information System (HMIS). The HMIS is a data collection software program designed to capture information over time on the characteristics of persons experiencing homelessness. This information will enhance coordination among agencies to more effectively provide services to clients who are homeless or at-risk of homelessness including, housing placement, medical treatment, and access to a network of other funding and resources.

The Rappahannock Refuge, Inc., d/b/a Hope House received a one-year renewal award in the amount of \$57,009 to continue supportive services at its two-year transitional housing facility for women and children. Services will include licensed child care, job placement, life-skills training, and on-site case management.

Micah Ecumenical Ministries received a one-year renewal award of its Supportive Housing Program in the amount of \$31,136 to provide permanent housing assistance for fifteen chronically homeless persons over one year. Micah Ecumenical Ministries also received a one-year renewal award in the amount of \$27,410 to provide permanent housing assistance for seven chronically homeless individuals. Rental subsidies will house twenty-two persons who have been continuously struggling with homelessness for a year or more or who have had at least four episodes of homelessness in the past three years (HUD's definition of chronically homeless).

Thurman Brisben Center received a one-year renewal award of its FISH program in the amount of \$36,192 to provide permanent housing assistance for seven homeless households over a one year period. Targeted assistance will be provided for at least one homeless household with children.

All agencies will leverage other resources to ensure that the newly housed clients will have stability in their residence and work toward financial independence over the subsidy period and beyond.

UNON-FEDERAL RESOURCES – STATE

The City of Fredericksburg does not intend to use state funds to achieve the goals specified in this plan.

NON-FEDERAL RESOURCES - LOCAL

Tax Relief for Certain Rehabilitated Structures

The City of Fredericksburg grants partial real estate tax exemptions for rehabilitated real estate that meets tax exemption criteria. Both single-family and multi-family dwelling units can potentially qualify for the program. If a dwelling unit qualifies for tax exemption, the increase in real estate value resulting from rehabilitation will be excused from taxation for seven years on a declining scale.

Tax Exemption Program for Elderly and/or Disabled

The City also provides real estate tax exemptions for the elderly and/or disabled persons who meet certain income criteria. Depending upon the combined income of the program participant and spouse or other relatives residing with that person, a certain percentage of real estate taxes can be exempted from payment. Program participants, however, are required to own and occupy the property as their sole dwelling place.

PRIVATE RESOURCES - FOR-PROFIT

Fredericksburg Area Builders Association (FABA)

The Fredericksburg Area Builders Association (FABA) provides homeownership opportunities for local families and assists in raising funds to help the working homeless to find permanent shelter.

PRIVATE RESOURCES - NON-PROFIT

Lend-A-Hand Program / Intense Financial Counseling

The Lend-A-Hand Program provides assistance to qualifying families threatened with eviction or foreclosure while Intense Financial Counseling helps low-income residents to maintain financial independence. These funds are raised locally by the Central Virginia Housing Coalition, with the assistance of the Fredericksburg Area Association of Realtors, the Fredericksburg Area Builders Association and local churches. Both programs are administered by the Central Virginia Housing Coalition and include budget counseling.

Central Virginia Housing Coalition Homebuyer Programs

The Central Virginia Housing Coalition (CVHC) has four homebuyer programs. The first is the SPARC (Sponsoring Partnerships and Revitalizing Communities) Program to build or rehabilitate housing for low-income families. The second program is a partnership with local builders called Helping Hand for Homebuyers. This program helps provide closing costs to low- and moderate-income first time homebuyers. The third program is a partnership with VHDA to administer Single Family Regional Loan Funds to provide low interest mortgage financing for low income homebuyers. The fourth is the Neighborhood Stabilization Program which enables CVHC to purchase foreclosed home, make needed repairs, and resell to eligible low- to moderate-income homebuyers. The Coalition also provides housing credit and budget counseling as a related component of these programs.

Habitat for Humanity

The Greater Fredericksburg Habitat for Humanity affiliate established itself in 1995 to work in partnership with businesses, governments, and citizens to build lives as well as houses. Habitat volunteers assist selected needy persons to construct their first homes. This organization emphasizes community and homeowner participation. In 2013, Habitat for Humanity will continue to administer a rehabilitation program called, Brushed with Kindness. City staff will work with the agency to assist City residents who cannot be served through the Emergency Home Repair Program.

Rebuilding Together (formerly known as Christmas in April)

Rebuilding Together is a volunteer program that brings together a variety of resources within a community to repair and rehabilitate homes for low income, elderly, and disabled homeowners. This program obtains donations of skilled and unskilled labor as well as materials to renovate homes region-wide during a workday in April. This is a nation-wide program and the Fredericksburg area activities have always been a positive contribution to this community. City staff will work with the agency to assist City residents who cannot be served through the Emergency Home Repair Program.

Fred Camp

FredCamp is a non-profit Christian organization which repairs and renovates homes of low-income families, families with disabilities, and the elderly. The work camp operates for one week only, in July of each year, and there is no cost to the owners of our project homes. The work is performed by high school aged youth and their chaperones, all volunteers. Typical FredCamp projects include, but are not limited to, installing and patching drywall, replacing flooring, painting, installing gutters, fixing porches, and constructing wheel chair ramps. The organization does not perform major electrical work, plumbing, or roofing. City staff will work with the agency to assist City residents who cannot be served through the Emergency Home Repair Program.

ACTIVITIES TO BE UNDERTAKEN

During the CDBG program year, the City of Fredericksburg will implement three housing programs. The first is the Emergency Home Repair Program which assists homeowners whose household income is at or below 50% of area median income depending on household size to make plumbing, roofing, and electrical repairs. The second program is the Direct Homeownership Assistance Program, which provides down payment and closing cost assistance to qualifying homebuyers whose household income is at or below 80% of area median income depending on household size and are purchasing a home in the City or refinancing out of sub-prime and high risk mortgages into fixed rate mortgages on homes in the City. The third program is the Removal of Architectural Barriers Program which provides limited architectural modifications to the homes of qualifying persons with disabilities whose household income is at or below 80% of area median income depending on household size, to maximize their independence and self-sufficiency. Lead-based paint hazard reduction is an integral component of each of these housing programs.

In addition to housing activities, CDBG funds will be used to assist in the provision of specific public services and programs. Such services are designed to reduce homelessness through prevention activities, to assist persons to locate and obtain decent housing, to assist persons with HIV/AIDS to obtain supportive services to avoid individual crises, and to provide food to qualifying elderly/disabled persons. These programs are provided to qualifying persons whose household income is at or below 80% of area median income, depending on household size.

Other CDBG funds will be used for overall program administration and public information. In addition, funds will be directed toward addressing impediments to fair housing.

All CDBG program eligibility is based upon HUD's annual Section 8 income limits.

LOW/MODERATE INCOME BENEFIT

CDBG funding in the amount of \$106,035 will be used for activities that benefit low- and moderate-income persons. This figure is 80.00 percent of the City's annual CDBG entitlement for the 2013/2014 Program Year. Fully 100 percent of program beneficiaries will be qualifying low/moderate-income persons, but the expenditure of funds necessarily includes administrative costs.

FUNDING SOURCES

The table on page 15 shows the funds that are proposed to be used for these activities during the program year.

LISTING OF PROPOSED PROJECTS

The tables on pages 16 through 25 show the activities the City of Fredericksburg will undertake during the next year to address priority needs identified in the Consolidated Plan (2010).

Funding Sources

Entitlement Grant (includes reallocated funds)

CDBG	\$132,535	
ESG	0	
HOME	0	
HOPWA	0	
TOTAL		\$132,535

Prior Years' Program Income NOT previously programmed or reported

CDBG	\$0	
ESG	0	
HOME	0	
HOPWA	0	
TOTAL		\$0

Reprogrammed Prior Years' Funds

CDBG	\$0	
ESG	0	
HOME	0	
HOPWA	0	
TOTAL		\$0

Total Estimated Program Income	\$0
Section 108 Loan Guarantee Fund	\$0
Total Funding Sources	\$132,535
Other Funds	\$0
Submitted Proposed Projects Totals	\$0
Un-Submitted Proposed Projects Totals	\$132,535

**U.S. Department of Housing & Urban Development
CPD Consolidated Plan
Listing of Proposed Projects**

Project ID/ Local ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0001	Housing Rehabilitation Assistance	14A Rehab; Single-Unit Residential	CDBG ESG	\$58,990 \$0
13-1	Housing	570.202	HOME HOPWA	\$0 \$0
	The City will facilitate emergency repair of roofs, plumbing, and electrical hazards for qualifying LMI households in an effort to maintain existing affordable housing stock.	7 Housing Units	TOTAL	\$58,990
			Total Other Funding	\$0

Help the Homeless: No Start Date: 07/01/13
 Help those with HIV or Aids? No Completion Date: 06/30/14

Eligibility: 570.208(a)(3) – Low/Mod Housing

Subrecipient: Local Government

Location(s): Community Wide

**U.S. Department of Housing & Urban Development
CPD Consolidated Plan
Listing of Proposed Projects**

Project ID/ Local ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0002	Removal of Architectural Barriers	14A Rehab; Single-Unit Residential	CDBG ESG	\$8,400 \$0
13-2	Housing	570.202	HOME HOPWA	\$0 \$0
The City will provide limited architectural modifications to the homes of LMI persons with disabilities, to maximize their independence and self-sufficiency.		2 Housing Units	TOTAL	\$8,400
			Total Other Funding	\$0

Help the Homeless: No Start Date: 07/01/13

Help those with HIV or Aids? No Completion Date: 06/30/14

Eligibility: 570.208(a)(3) – Low/Mod Housing

Subrecipient: Local Government

Location(s): Community Wide

**U.S. Department of Housing & Urban Development
CPD Consolidated Plan
Listing of Proposed Projects**

Project ID/ Local ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0003	Public Service-Central Virginia Housing Coalition	05 Public Services (General)	CDBG ESG	\$3,420 \$0
13-3	Public Services	570.201(e)	HOME HOPWA	\$0 \$0
	Provide funding to assist the Central Virginia Housing Coalition (CVHC) to operate its Lend-A-Hand and the Intense Financial Counseling programs. Lend-A-Hand provides emergency grants to households threatened with eviction or foreclosure. Intensive Financial Counseling helps maintain financial independence of low-income City residents.	12 People (General)	TOTAL	\$3,420
			Total Other Funding	\$0

Help the Homeless: No Start Date: 07/01/13
 Help those with HIV or Aids? No Completion Date: 06/30/14

Eligibility: 570.208(a)(2) – Low/Mod Limited Clientele
 Subrecipient: Subrecipient Private 570.500(c)
 Location(s): Community Wide

U.S. Department of Housing & Urban Development
CPD Consolidated Plan
Listing of Proposed Projects

Project ID/ Local ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0004	Public Service- Rappahannock Legal Services	05C Legal Services	CDBG ESG	\$9,880 \$0
13-4	Public Services	570.201(e)	HOME HOPWA	\$0 \$0
	Provide funding to Rappahannock Legal Services (RLS) to increase their capacity to provide assistance to LMI individuals and their families threatened with eviction, foreclosure, and utility shut-offs. RLS also assists clients to locate and obtain decent and affordable housing.	140 People (General)	TOTAL	\$9,880
			Total Other Funding	\$0

Help the Homeless: No Start Date: 07/01/13
 Help those with HIV or Aids? No Completion Date: 06/30/14

Eligibility: 570.208(a)(2) – Low/Mod Limited Clientele

Subrecipient: Subrecipient Private 570.500(c)

Location(s): Community Wide

U.S. Department of Housing & Urban Development
CPD Consolidated Plan
Listing of Proposed Projects

Project ID/ Local ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0005	Fredericksburg Area HIV/AIDS Support Services	03T Operating Costs of Homeless/AIDS Patient Programs	CDBG ESG	\$4,370 \$0
13-5	Public Improvement	570.201(e)	HOME HOPWA	\$0 \$0
	Provide funding to assist Fredericksburg HIV/AIDS Support Services to serve low- income residents living with HIV/AIDS. This project will also provide education assistance and testing to the at-risk population.	7 People (General)	TOTAL	\$4,370
			Total Other Funding	\$0

Help the Homeless: No Start Date: 07/01/13
 Help those with HIV or Aids? Yes Completion Date: 06/30/14

Eligibility: 570.208(a)(2) – Low/Mod Limited Clientele

Subrecipient: Subrecipient Private 570.500(c)

Location(s): Community Wide

U.S. Department of Housing & Urban Development
CPD Consolidated Plan
Listing of Proposed Projects

Project ID/ Local ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0006	Program Administration	21A General Program Administration	CDBG ESG	\$25,600
13-6	Planning & Administration	570.206	HOME HOPWA	\$0 \$0
	Provide oversight, management, monitoring, and coordination of the CDBG program.	0 N/A	TOTAL	\$25,600
			Total Other Funding	\$0

Help the Homeless: No Start Date: 07/01/13
 Help those with HIV or Aids? No Completion Date: 06/30/14

Eligibility:

Subrecipient: Local Government

Location(s): N/A

U.S. Department of Housing & Urban Development
CPD Consolidated Plan
Listing of Proposed Projects

Project ID/ Local ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0007	Fair Housing	21D Fair Housing Activities (subject to 20% Admin cap)	CDBG ESG	\$200 \$0
13-7	Planning & Administration	570.206	HOME HOPWA	\$0 \$0
Engage in specific fair housing activities.		0 N/A	TOTAL	\$200
			Total Other Funding	\$0

Help the Homeless: No Start Date: 07/01/13
 Help those with HIV or Aids? No Completion Date: 06/30/14

Eligibility:

Subrecipient: Local Government

Location(s): N/A

U.S. Department of Housing & Urban Development
CPD Consolidated Plan
Listing of Proposed Projects

Project ID/ Local ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0008	Public Information	21C Public Information (subject to 20% Admin cap)	CDBG ESG	\$700 \$0
13-8	Planning & Administration	570.206	HOME HOPWA	\$0 \$0
	Provide public information about the CDBG program.	0 N/A	TOTAL	\$700
			Total Other Funding	\$0

Help the Homeless: No Start Date: 07/01/13
 Help those with HIV or Aids? No Completion Date: 06/30/14

Eligibility:

Subrecipient: Local Government

Location(s): N/A

U.S. Department of Housing & Urban Development
CPD Consolidated Plan
Listing of Proposed Projects

Project ID/ Local ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0009	Direct Homeownership Assistance	13 Direct Homeownership Assistance	CDBG ESG	\$19,550 \$0
13-9	Housing	570.201(n)	HOME HOPWA	\$0 \$0
	The City will assist low- to moderate-income homebuyers with specific down payment and closing costs to help promote homeownership.	2 Households (General)	TOTAL	\$19,550
			Total Other Funding	\$0

Help the Homeless: No Start Date: 07/01/13
 Help those with HIV or Aids? No Completion Date: 06/30/14

Eligibility: 570.208(a)(3) – Low/Mod Housing
 Subrecipient: Local Government
 Location(s): Community Wide

U.S. Department of Housing & Urban Development

**CPD Consolidated Plan
Listing of Proposed Projects**

Project ID/ Local ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0010	Public Service – Food Bank	05A Senior Services	CDBG ESG	\$1,425 \$0
13-10	Public Service	570.201(e)	HOME HOPWA	\$0 \$0
	Provide food to qualifying elderly persons through the Food for Life Brown Bag Program.	200 People (General)	TOTAL	\$1,425
			Total Other Funding	\$0

Help the Homeless: No Start Date: 07/01/13

Help those with HIV or Aids? No Completion Date: 06/30/14

Eligibility: 570.208(a)(2) – Low/Mod Limited Clientele

Subrecipient: Subrecipient Private 570.500(c)

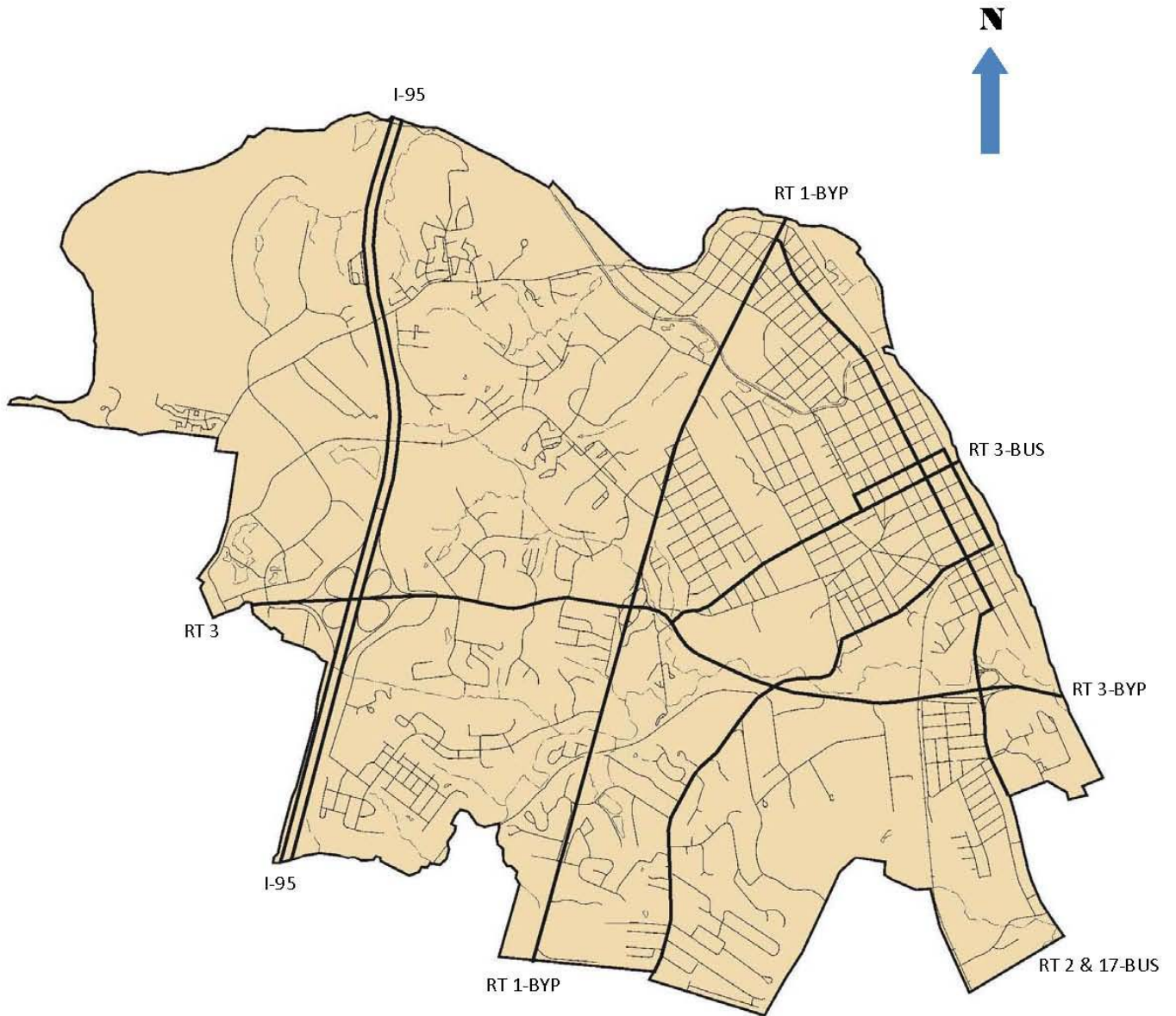
Location(s): Community Wide

GEOGRAPHIC DISTRIBUTION

The Emergency Home Repair Program, Direct Homeownership Assistance Program, and Removal of Architectural Barriers Program are administered on a first come, first served basis. Emergency home repairs and needs to remove architectural barriers are addressed as quickly as possible, so waiting lists work exceptionally well. Homeownership assistance favors applicants who are strongly committed and have qualified for a mortgage loan. In each instance, distribution of these programs City-wide is appropriate because benefits are always targeted to eligible households.

Most CDBG related activity will occur where there are higher concentrations of low-income persons. Most of the applications will come from eligible citizens in those areas. Low-income needs are not very concentrated, but are scattered throughout the City. By making CDBG investment available City-wide, eligible persons in need will be served more equitably than if such activity were geographically restricted.

Most community development strategies will be pursued throughout the City of Fredericksburg, according to applicable program designs, where qualifying persons are located.



MAP 1. Project Area

Fredericksburg's CDBG programs are available city-wide to qualifying households.

HOMELESS AND OTHER SPECIAL NEEDS ACTIVITIES

A comprehensive system to effectively address homeless needs includes several components. First, there must be an alternative to being without shelter. Second, there must be a means to transition from shelter to permanent housing. Third, there must be permanent housing available that is affordable. Fourth, there should be a means to effectively prevent homelessness in the first place and thus avoid the above cycle. These interrelated components constitute what is called a continuum of care.

The City of Fredericksburg is the lead agency for the Fredericksburg Regional Continuum of Care (CoC). This CoC includes representatives from Social Services departments from Planning District 16 as well as numerous other public and private organizations and agencies, volunteers, and homeless/formerly homeless individuals that meet to examine homeless issues in a broader, regional context. The CoC is actively pursuing a broader membership as part of its long-range strategic planning efforts. This regional effort maximizes the efficiency of the regional Continuum of Care's various components. The George Washington Regional Commission has established a Homeless Management Information System, to better coordinate services as well as provide better planning. The following activities will also be undertaken during the next program year:

EMERGENCY SHELTER

Shelter capacity in Fredericksburg, for homeless individuals and families, will be provided by the Thurman Brisben Center, which has an 80 bed capacity. The Thurman Brisben Center, however, also functions as a short term transitional facility with a strong programmatic component to help homeless persons reestablish themselves. As a consequence, persons who cannot meet the shelter entry requirements (alcohol and drug free, etc.) may not be able to find an alternative to being on the street. It is simply not viable to mix persons with substance abuse problems and/or mental health issues with persons trying to transition out of a homeless situation at the Thurman Brisben Center.

Empowerhouse, formerly known as the Rappahannock Council on Domestic Violence (RCDV), provides a place of refuge called the Haven, for up to 23 persons fleeing domestic violence. Additional shelter capacity is a clear need as are services to prevent clients from having to return to abusive homes for lack of viable alternatives. Healthcare, on-site advocacy intervention to prevent future attacks and injuries, education for teens on healthy relationships, and financial empowerment activities are needed to curb new and on-going domestic violence in the community. The City of Fredericksburg will continue to support Empowerhouse in its efforts to provide assistance to victims of domestic violence and prevent new cases through collaboration within the Continuum of Care.

In 2009, the Continuum of Care supported Micah Ecumenical Ministries in establishing a permanent location for the 50+ bed cold weather shelter in Stafford County. The facility is open from November to February each winter. In 2012, the shelter was open every night regardless of temperature. Depending on local funding, the shelter is expected to be open nightly during the 2013-2014 season as well. Due to the shelters seasonal availability, the CoC will continue to work with the organization to provide a year-round facility. The daytime support component to the cold weather shelter is provided at the Hospitality Center which is located in the City of Fredericksburg.

Since 2010, Micah Ecumenical Ministries has operated an eight-bed group Respite Center in the City of Fredericksburg, to provide housing for homeless people exiting the hospital in need of temporary or terminal care. The group home is staffed around the clock with mental health professionals and a caseworker who is tasked with assisting guests through the Social Security and Medicaid process. Those staying there are assisted with enrollment

at the Lloyd F. Moss Free Clinic, prescriptions and follow-up plans, so that they stay healthy and avoid unnecessary repeat hospitalizations. It brings players from the medical community to the table and creates dozens of additional opportunities for volunteers.

TRANSITIONAL HOUSING

A careful analysis of homeless needs in Fredericksburg reveals that transitional housing (TH) remains a critical concern. The City of Fredericksburg has worked with Hope House to expand its transitional housing capacity including dedicating funds to create twelve new beds in four family units during the 2010-2011 program year as noted with the Substantial Amendment to the 2008-2009 Annual Action Plan. In 2012, due to cuts in federal and state funding, Hope House sold four older TH units to the Central Virginia Housing Coalition to provide permanent housing for low- to moderate-income households including homeless persons, but resulted in fewer beds now available for TH. Additional facilities in neighboring jurisdictions would also be useful, since this problem is a regional one and effects single men and women who are not served by Hope House. As noted above, the Thurman Brisben Center serves as a short term transitional facility.

In 2010, the Empowerhouse began to use a new federal DV grant to provide TH to people fleeing domestic violence. Empowerhouse's goal was to ultimately move clients into permanent housing. Victims in TH received case management, victim advocacy, and an employment specialist that will be available to assist them to retain employment or obtain employment. Goodwill Industries was the organization providing the employment service as a contractual partner in the grant. The original funding has run out, but in 2013, Empowerhouse will be applying for a similar, yet smaller grant to continue the program during the 2013-2014 program year. The City of Fredericksburg does not propose to use CDBG funds for this item.

PERMANENT SUPPORTIVE HOUSING

Micah Ecumenical Ministries currently supports approximately sixty-eight homeless individuals in apartments throughout Fredericksburg and in south Stafford. Supportive services include, move-in assistance, minimal financial and independent living.

The Fredericksburg Regional Continuum of Care (CoC) submitted its application for 2012 Continuum of Care funding through the U.S. Department of Housing and Urban Development in January 2013. The CoC application included five individual applications for permanent housing from two member agencies. Micah Ecumenical Ministries submitted a one-year renewal application for its Supportive Housing Program in the amount of \$31,136 to provide permanent housing assistance for fifteen chronically homeless persons over one year. Micah Ecumenical Ministries submitted a one-year renewal application in the amount of \$27,410 to provide permanent housing assistance for seven chronically homeless individuals. Thurman Brisben Center submitted a one-year renewal application for its FISH program in the amount of \$36,192 to provide permanent housing assistance for seven homeless households over a one year period. Targeted assistance will be provided for at least one homeless household with children. Micah Ecumenical Ministries also submitted a new application in the amount of \$46,995 to provide permanent housing assistance for twelve homeless individuals including, two households with children and four chronically homeless persons. Micah Ecumenical Ministries also submitted a new application under the Bonus Housing Program in the amount of \$25,711 to provide permanent housing assistance for ten chronically homeless individuals. All renewal funding was awarded and will be available for use during the 2013-2014 program year. Announcement on the new application requests is still pending review by HUD.

HOMELESS PREVENTION

Preventing homelessness is invariably more cost effective than providing homeless facilities and services. The City of Fredericksburg will continue to address homeless prevention by supporting Rappahannock Legal Services as well as the Central Virginia Housing Coalition's Lend-a-Hand Fund and Intense Financial Counseling Program. Both of these organizations intervene to prevent evictions and foreclosures. The City will continue to work with the Thurman Brisben Center and its Home Sweet Home Program which is funded by Salvation Army, Rappahannock United Way, Virginia Department of Housing and Community Development and other donors. This Planning District 16 program was initiated following the close of the Homeless Prevention and Rapid Re-housing Program (HPRP) in December 2011. Quin Rivers Agency in partnership with the Thurman Brisben Center requested \$350,000 in Homeless Prevention Program funds from the Virginia Department of Housing and Community Development on April 20, 2012. The CoC supported this application because if awarded, it will serve to prevent homelessness for at least 150 households in the Fredericksburg region. Homeless prevention also includes maintenance of affordable housing, but this activity is discussed under Other Actions, below.

SPECIAL NEEDS

There are several categories of citizens who may or may not be homeless, but who have special needs. These categories include elderly/frail elderly persons, persons with disabilities, persons with alcohol and other drug addiction, victims of domestic violence, and persons with HIV/AIDS and their families.

The Housing Choice Voucher Program includes a set of vouchers used by the Rappahannock Area Community Services Board (RACSB) to help meet the needs of persons with mental illness or intellectual disability. Mary Washington Hospital and RACSB primarily assist persons with alcohol and other drug addictions. At least one other private facility operates in the City assisting people who are recovering from alcohol addiction. Of concern, however, are homeless persons who may be mentally ill. The RACSB is an active participant in the regional Continuum of Care planning to address these and other homeless needs.

The above special needs are being met through agencies and organizations which have been in place for many years. The needs of persons with HIV/AIDS and their families, on the other hand, are being addressed by an organization called Fredericksburg Area HIV/AIDS Support Services (FAHASS). The City of Fredericksburg provides direct support to FAHASS to allow them to identify persons who need supportive services as well as to help them provide these services. This assistance will continue.

The City will also administer a program to remove architectural barriers in homes for physically disabled persons, as needed. City staff has also worked with a local non-profit organization called Housing Opportunities Made Economical (HOME) to help provide new housing that is accessible to physically disabled persons. Although no CDBG funds have been requested by this organization, staff maintains a close liaison and provides other assistance, as appropriate.

Finally, the City will continue to provide funding to the Fredericksburg Area Food Bank, to assist this agency in providing food to qualifying elderly persons who find themselves in need of such assistance.

OTHER ACTIONS

REMOVING OBSTACLES TO MEETING UNDERSERVED NEEDS

A community development program must be continuously evaluated to ensure needs are being effectively met. A part of this analysis includes identification of obstacles to meeting underserved needs, as was done during development of the 2010 Consolidated Plan. The City of Fredericksburg will pursue the following activities to remove the identified obstacles:

- Continue to ensure individual dwellings are safe and sanitary, through emergency roof, plumbing, and electrical repairs. The popular Emergency Home Repair Program addresses health and safety issues directly and works well on a first come, first served basis, which allows funding to be directed according to the needs indicated by an active waiting list.
- Continue Homeownership Assistance efforts to provide the stabilizing influence of homeownership within the City's neighborhoods.
- Help to identify persons in need of shelter and services. City staff worked with the regional Continuum of Care to conduct a regional point-in-time count of homeless persons on the night of January 24, 2013. A preliminary total of 156 homeless persons (both sheltered and unsheltered) were counted in Fredericksburg alone. The preliminary regional total – including Fredericksburg as well as Stafford, Spotsylvania, King George, and Caroline Counties – came to 190 homeless persons (both sheltered and unsheltered). These figures do not include the 21 adults and 819 children who are at imminent risk of becoming homeless and living in an unstable environment such as area hotels and motels. Staff will continue to work with the Fredericksburg Regional Continuum of Care to meet the needs of the homeless population.

FOSTERING AND MAINTAINING AFFORDABLE HOUSING

Affordable housing is a basic component for overcoming homelessness as well as for maintaining a vibrant and diverse community of neighborhoods. The City of Fredericksburg already has the majority of the region's subsidized and assisted housing, as well as the majority of the area's available rental housing. The City seeks to maintain this existing level of housing while concurrently working to conserve its other residential neighborhoods. There is a strong need, for instance, to enhance the community's demographic stability by concentrating on homeownership opportunities.

The Emergency Home Repair Program is available only to low income homeowners, which contributes directly to Fredericksburg's affordable housing and neighborhood conservation policies. In addition, the Direct Homeownership Assistance Program provides closing cost and/or down payment assistance to qualifying homebuyers. In 2008, the Direct Homeownership Assistance Program was expanded to allow qualifying homeowners to refinance out of sub-prime and high risk mortgages into fixed rate mortgages. This effort will seek to reduce foreclosure rates and stabilize neighborhoods in the City. In 2013, the Direct Homeownership Assistance Program may also be utilized by qualifying households to purchase previously foreclosed homes which are to be rehabilitated and resold through the region's Neighborhood Stabilization Program (NSP) administered by the Central Virginia Housing Coalition. Homes in Mayfield Subdivision, Central Park Townhomes, and throughout Census Tract 4 are targeted for this funding. These are areas which are traditionally more affordable but have seen a rise in foreclosure rates. Through partnering CDBG funds and the NSP, the City seeks to stabilize these

communities and expand homeownership opportunities.

Aside from emphasizing homeownership, Fredericksburg has a variety of housing types, including detached homes, townhouses, and several types of apartments. Recent construction of new homes as well as apartment complexes shows that this range of housing choice will continue to be available.

To help maintain Fredericksburg's affordable rental properties, the City implemented a Rental Property Inspection Program; however due to budgetary constraints the formally scheduled inspection program was discontinued during the 2010-2011 program year. Inspections are still available to City residents on a complaint basis. This effort does not require the use of CDBG funds, but even with limited availability furthers the City's community development and fair housing goals to maintain the existing housing stock in a safe and sanitary condition.

REMOVING BARRIERS TO AFFORDABLE HOUSING

The City of Fredericksburg has previously addressed barriers to affordable housing, by removing the requirement for off-street parking during residential infill development. This step also helps to preserve an existing neighborhood's character by maintaining continuity in setbacks rather than building new houses beyond the established limits and paving their front yards, to accommodate two-car parking pads.

During the next year, the City plans to continue its program to improve neighborhood conditions and promote conventional mortgage lending, by aggressively promoting the rehabilitation of owner-occupied units and the proper maintenance of rental properties.

EVALUATING AND REDUCING LEAD-BASED PAINT HAZARDS

Federal regulations require that lead hazard evaluation and reduction be carried out according to specific guidelines and criteria. This directive is integrated into the City of Fredericksburg's Emergency Home Repair Program, the Homeownership Assistance Program, and the Program for the Removal of Architectural Barriers.

The Community Development staff works with appropriately qualified contractors to accomplish the following tasks, as appropriate:

1. Do No Harm – Perform the required work in a way that does not create lead hazards.
2. Identify and Control Lead Hazards – Identify lead-based paint and hazards and use a range of methods to address them.
3. Identify and Abate Lead Hazards – Identify lead-based paint hazards and remove them permanently.

REDUCING THE NUMBER OF POVERTY LEVEL FAMILIES

The City's community development programs are related to reducing the number of poverty level families through the various types of assistance offered. Helping a family to meet specific housing needs, for instance, allows a low income family to address other needs. These programs include an Emergency Home Repair Program, Housing Choice Voucher Program (including an intellectual or developmental disability component), existing local tax relief programs for elderly and/or disabled persons, and homeless prevention programs through the Central Virginia Housing Coalition and Rappahannock Legal Services. All of these programs will continue to be implemented during the coming year. There is no use of CDBG funds to actually increase income. The benefit is indirect, through the provision of programs that handle large, one-time housing costs.

DEVELOPING INSTITUTIONAL STRUCTURE

Institutional structure is the way in which agencies and organizations provide services and coordinate their activities. City staff has already taken the lead with a group of shelter and service providers to maintain a regional continuum of care. This effort has become very successful and this regional group continues to expand the membership and activities. Fredericksburg serves as the lead agency in this effort and staff will continue to be involved with this growing organization.

ENHANCING COORDINATION

Coordination between public and private housing and social services agencies is clearly related to developing institutional structure. In Fredericksburg, however, there is no public housing to be coordinated. The Housing Choice Voucher Program is administered by the Central Virginia Housing Coalition.

PUBLIC HOUSING IMPROVEMENTS AND RESIDENT INITIATIVES

There is no public housing within the City of Fredericksburg.

FAIR HOUSING

In 2012, the City of Fredericksburg, with assistance from student interns from the University of Mary Washington, updated of the City's Analysis of Impediments to Fair Housing Choice (AI). The update included the following items: update of a community and housing profile, review of fair lending and complaint data, policy review and analysis, key person interviews, public forum and telephone survey, and the identification of impediments and development of the Fair Housing Action Plan.

Section IV of the AI outlines the impediments to fair housing choice identified through the research and interview/survey responses. The five impediments are summarized below. While all relate to housing, not all relate directly to violations of fair housing laws:

1. Residents experiencing discrimination in housing “do nothing.”
2. Lack of affordable housing development.
3. Affordable Housing.
4. Persons with disabilities face barriers to housing choice.
5. NIMBYism.

During the coming program year, the City will implement the following fair housing strategies which are recommended by the 2012 Analysis of Impediments.

RAISING VISIBILITY OF FAIR HOUSING STATUTES AND THE COMPLAINT PROCESS

Maintain the Fair Housing component of the City's website dedicated to Fair Housing including links to the federal and state Fair Housing Acts as well as to the Virginia Fair Housing Office's website. The website identifies protected classes and specific instructions on how to file a complaint. It also contains a link to allow a visitor to download the “Guide to Virginia Landlord-Tenant Law and Local Rental Housing in Planning District 16” and contact information for the City's Rental Property Maintenance Program. Continue to remind landlords of fair housing laws and requirements by direct mail in conjunction with the Commissioner of the Revenue's annual tenant list mailing.

CONSIDERING INCENTIVES AND ALTERNATIVE FUNDING TO ENCOURAGE AND INCREASE AFFORDABLE HOUSING DEVELOPMENT

Provide direct homeownership assistance, through a CDBG program, to allow eligible persons to purchase a home or refinance out of sub-prime or high risk mortgages.

Coordinate with organizations such as the Central Virginia Housing Coalition in order to maximize the homeownership opportunities available to low- and moderate-income families. This will include partnerships with CVHC on implementing the Neighborhood Stabilization Program and providing down payment/closing cost assistance to qualifying households.

INCREASING LANDLORD AND RESIDENT AWARENESS AND KNOWLEDGE OF FAIR HOUSING

Continue to work with Rappahannock Legal Services to provide education and counseling related to the Virginia Residential Landlord-Tenant Act.

Continue to work with Rappahannock Legal Services to ensure a “Guide to Virginia Landlord-Tenant Law and Local Rental Housing in Planning District 16” remains available in English and Spanish and routinely updated.

Distribute the “Guide to Virginia Landlord-Tenant Law and Rental Housing in Planning District 16” through the Rental Housing Inspection Program (if continued) and general resident requested inspections.

ASSISTING RESIDENTS WITH SPECIAL NEEDS TO HAVE FULL ACCESS TO HOUSING AND NEEDED SERVICES

Continue to implement provisions of the Zoning Ordinance that promote development of a variety of housing types.

Continue to implement provisions of the Statewide Building Code that provides accessibility for disabled persons.

Ensure CDBG subrecipients are in compliance with Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act, and the Architectural Barriers Act.

Continue to fund and begin to administer the Removal of Architectural Barriers program which improves housing accessibility for persons with disabilities.

Strengthen efforts to improve and expand the FREDericksburg Regional Transit System throughout the Planning District. FRED offices have a new central location that is fully accessible and will continue to expand routes and service areas throughout the City and surrounding jurisdictions.

ENSURING ORDERLY TRANSFERS OF PROPERTY ASSETS TO FACILITATE HOME IMPROVEMENT LOANS

Educate applicants for the Emergency Home Repair Program about the importance of creating a will. Where an original owner has died intestate, work with the heirs to file a list of heirs with the Circuit Court to obtain proper title and move forward with property improvement.

WORKING TO REDUCE NIMBYISM

Continue to enforce the Building Maintenance Code to help ensure that affordable housing is not lost to neglect.

Continue to implement CDBG programs that address neighborhood conditions by promoting housing rehabilitation as well as homeownership.

MONITORING STANDARDS AND PROCEDURES

The City of Fredericksburg's Office of Planning and Community Development will be responsible for monitoring programs which use CDBG funds, according to HUD regulations.

The Office of Planning and Community Development will be responsible for developing guidelines for each contractual agreement the City enters into with an agency or organization, for the purpose of implementing the housing strategies identified in this document. Items to be specified in the contract include the work or service to be performed, the amount of funds budgeted, and the time-frame for performing the work or service. Each contract will also contain an outline of the goals and objectives against which the performance of CDBG program fund recipients will be measured, as well as information on the City's commitment to affirmatively further fair housing and to avoid residential displacement. All applicable statutory and regulatory requirements will also be included in each contract.

CDBG program fund recipients will be required to submit quarterly reports regarding the status of the project (to ensure that program rules are being followed). The Office of Planning and Community Development will monitor the City's CDBG program by analyzing required reports and conducting site visits. In order to ensure that funds are being used according to applicable statutes and regulations, the Office of Planning and Community Development will also conduct financial monitoring which will include quarterly reviews of expenditures to ensure they meet program regulations.

The City's CDBG funds will be formally audited in conjunction with the Department of Fiscal Affairs' annual audit. No separate audit of CDBG funds will be performed.

The City conducts onsite monitoring of its subrecipients on a rotating basis every two years as required by HUD. It reserves the right to terminate agreements with CDBG program fund recipients found to be in non-compliance with program guidelines and/or who are reluctant to take corrective measures.

Funds remaining unexpended after annual goals have been met will be applied to the housing rehabilitation category.

PROGRAM INCOME

No program income is expected to be received during the 2013-2014 Program Year.

PERFORMANCE MEASUREMENT

The U.S. Department of Housing and Urban Development (HUD) has developed a performance measurement system to be used by localities receiving Federal community development funds. This system enables HUD to collect information on the outcomes of activities funded through formula grant assistance, and then develop aggregate information for analysis at the national, state and local level. The outcome performance measurement system has three specific objectives: (1) Creating a Suitable Living Environment, (2) Providing Decent Affordable Housing, and (3) Creating Economic Opportunities. Under each of these objectives are three outcomes: (1) Availability/Accessibility, (2) Affordability, and (3) Sustainability. This program is set up so that the three objectives, each having three possible outcomes, will produce nine possible outcome/objective statements within which to categorize grant activities.

All activities funded by City of Fredericksburg, through its CDBG program, will meet at least one of these objectives and outcomes, as defined by HUD:

OBJECTIVES

Suitable Living Environment:

Creating a suitable living environment is defined as improving the safety and livability of neighborhoods and increasing their access to the community as a whole.

Decent Affordable Housing:

Providing decent affordable housing encompasses retention and provision of safe and sanitary housing as well as prevention of homelessness.

Economic Opportunities:

Creating economic opportunities includes improvements to the economic viability of the locality and the creation and retention of jobs.

OUTCOMES

Availability/Accessibility:

This outcome category applies to activities that make services, infrastructure, housing, or shelter available or accessible to low- and moderate-income people, including persons with disabilities. In this instance, accessibility refers not only to overcoming physical barriers, but to overcoming barriers that make the basics of daily living available and accessible to low- and moderate-income people.

Affordability:

This outcome category applies to activities that make affordable a variety of things in the lives of low- and moderate-income people. It can include the creation or maintenance of affordable housing, connections to basic infrastructure, and/or services such as transportation and day care.

Sustainability/Promoting Livable or Viable Communities:

This outcome category applies to projects where the activity or activities are aimed at improving communities and neighborhoods, helping to make them livable or viable by providing benefit to persons of low- and moderate-income or by removing or eliminating slums or blight, through multiple activities or services that sustain communities and neighborhoods.

The projects for this Program Year meet the performance measurement objectives. All activities will also meet one of the performance measurement objectives. Each activity's objective and proposed outcome are provided in the following table.

The majority of the objectives are targeted to providing decent housing. This category includes assisting homeless persons obtain affordable housing, assisting persons at risk of becoming homeless, retaining the affordable housing stock, and increasing the availability of affordable permanent housing in standard condition to low-income and moderate-income families, particularly to members of disadvantaged minorities without discrimination on the basis of race, color, religion, sex, national origin, familial status, or disability.

2013-2014 Performance Measurement Table

Name of Project	Objectives			Outcomes		
	Suitable Living Environment	Decent Affordable Housing	Creating Economic Opportunities	Availability/ Accessibility	Affordability	Sustainability: Promoting Livable or Viable Communities
Housing Rehabilitation		X		X		
Removal of Architectural Barriers		X		X		
Public Service-Central Virginia Housing Coalition		X			X	
Public Service-Rappahannock Legal Services		X				X
Fredericksburg HIV/AIDS Support Services		X		X		
Direct Homeownership Assistance		X			X	
Public Service-Food Bank		X				X

CERTIFICATIONS

In accordance with the applicable statutes and the regulations governing the consolidated plan regulations, the jurisdiction certifies that:

Affirmatively Further Fair Housing – The jurisdiction will affirmatively further fair housing, which means it will conduct an analysis of impediments to fair housing choice within the jurisdictions, take appropriate actions to overcome the effects of any impediments identified through that analysis, and maintain records reflecting that analysis and actions in this regard.

Anti-displacement and Relocation Plans – It will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance Real Property Acquisition Policies of Act of 1970, as amended, and implementing regulations at 49 CFR 24; and it has in effect and is following a residential Community Development Act of 1974, as amended, in connection with any activity assisted with funding under the CDBG or HOME programs.

Drug Free Workplace – It will or will continue to provide a drug-free workplace by:

1. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
2. Establishing an ongoing drug-free awareness program to inform employees about –
 - (a) The dangers of drug abuse in the workplace;
 - (b) The grantee's policy of maintaining a drug-free workplace;
 - (c) Any available drug counseling, rehabilitation, and employee assistance programs; and
 - (d) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.
3. Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph 1;
4. Notifying the employee in the statement required by paragraph 1 that, as a condition of employment under the grant, the employee will –
 - (a) Abide by the terms of the statement; and
 - (b) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;
5. Notifying the agency in writing, within ten calendar days after receiving notice under subparagraph 4(b) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;

6. Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph 4(b), with respect to any employee who is so convicted.
 - (a) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
 - (b) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;
7. Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs 1, 2, 3, 4, 5, and 6.

Anti-Lobbying – To the best of the jurisdiction’s knowledge and belief:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of it, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement;
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, or an employee of a member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, it will complete and submit Standard Form-LLL, “Disclosure Form to Report Lobbying,” in accordance with its instructions; and
3. It will require that the language of paragraph 1 and 2 of this anti-lobbying certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

Authority of Jurisdiction – The consolidated plan is authorized under State and local law (as applicable) and the jurisdiction possesses the legal authority to carry out the programs for which It is seeking funding, in accordance with applicable HUD regulations.

Consistency with plan – The housing activities to be undertaken with CDBG, HOME, ESG, and HOPWA funds are consistent with the strategic plan.

Section 3 – It will comply with section 3 of the Housing and Urban Development Act of 1968, and implementing regulations at 24 CFR Part 135.

Signature/Authorized Official

Date

Beverly R. Cameron, City Manager
Name / Title

Specific CDBG Certifications

The Entitlement Community certifies that:

Citizen Participation -- It is in full compliance and following a detailed citizen participation plan that satisfies the requirements of 24 CFR 91.105.

Community Development Plan -- Its consolidated housing and community development plan identifies community development and housing needs and specifies both short-term and long-term community development objectives that provide decent housing, expand economic opportunities primarily for persons of low and moderate income. (See CFR 24 570.2 and CFR 24 part 570)

Following a Plan -- It is following a current consolidated plan (or Comprehensive Housing Affordability Strategy) that has been approved by HUD.

Use of Funds -- It has complied with the following criteria:

1. **Maximum Feasible Priority.** With respect to activities expected to be assisted with CDBG funds, it certifies that it has developed its Action Plan so as to give maximum feasible priority to activities which benefit low and moderate income families or aid in the prevention or elimination of slums or blight. The Action Plan may also include activities which the grantee certifies are designed to meet other community development needs having a particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community, and other financial resources are not available);
2. **Overall Benefit.** The aggregate use of CDBG funds including section 108 guaranteed loans during program year(s), (a period specified by the grantee consisting of one, two, or three specific consecutive program years), shall principally benefit persons of low and moderate income in a manner that ensures that at least 70 percent of the amount is expended for activities that benefit such persons during the designated period;
3. **Special Assessments.** It will not attempt to recover any capital costs of public improvements assisted with CDBG funds including Section 108 loan guaranteed funds by assessing any amount against properties owned and occupied by persons of low and moderate income, including any fee charged or assessment made as a condition of obtaining access to such public improvements.

However, if CDBG funds are used to pay the proportion of a fee or assessment that relates to the capital costs of public improvements (assisted in part with CDBG funds) financed from other revenue sources, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than CDBG funds.

The jurisdiction will not attempt to recover any capital costs of public improvements assisted with CDBG funds, including Section 108, unless CDBG funds are used to pay the proportion of fee or assessment attributable to the capital costs of public improvements financed from other revenue sources. In this case, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than CDBG funds. Also, in the case of properties owned and occupied by moderate-income (not low-income) families, an assessment or charge may be made against the property for public improvements financed by a source other than CDBG funds if the jurisdiction certifies that it lacks CDBG funds to cover the assessment.

Excessive Force -- It has adopted and is enforcing:

1. A policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and
2. A policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such non-violent civil rights demonstrations within its jurisdiction;

Compliance With Anti-discrimination laws -- The grant will be conducted and administered in conformity with title VI of the Civil Rights Act of 1964 (42 USC 2000d), the Fair Housing Act (42 USC 3601-3619), and implementing regulations.

Lead-Based Paint -- Its activities concerning lead-based paint will comply with the requirements of 24 CFR Part 35, subparts A, B, J, K and R;

Compliance with Laws -- It will comply with applicable laws.

Signature/Authorized Official

Date

Beverly R. Cameron, City Manager
Name / Title

APPENDIX TO CERTIFICATIONS

INSTRUCTIONS CONCERNING LOBBYING AND DRUG-FREE WORKPLACE REQUIREMENTS:

A. Lobbying Certification

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

B. Drug-Free Workplace Certification

1. By signing and/or submitting this application or grant agreement, the grantee is providing the certification.
2. The certification is a material representation of fact upon which reliance is placed when the agency awards the grant. If it is later determined that the grantee knowingly rendered a false certification, or otherwise violates the requirements of the Drug-Free Workplace Act, HUD, in addition to any other remedies available to the Federal Government, may take action authorized under the Drug-Free Workplace Act.
3. Workplaces under grants, for grantees other than individuals, need not be identified on the certification. If known, they may be identified in the grant application. If the grantee does not identify the workplaces at the time of application, or upon award, if there is no application, the grantee must keep the identity of the workplace(s) on file in its office and make the information available for Federal inspection. Failure to identify all known workplaces constitutes a violation of the grantee's drug-free workplace requirements.
4. Workplace identifications must include the actual address of buildings (or parts of buildings) or other sites where work under the grant takes place. Categorical descriptions may be used (e.g., all vehicles of a mass transit authority or State highway department while in operation, State employees in each local unemployment office, performers in concert halls or radio stations).
5. If the workplace identified to the agency changes during the performance of the grant, the grantee shall inform the agency of the change(s), if it previously identified the workplaces in question (see paragraph three).
6. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, city, county, state, zip code):

City Hall
715 Princess Anne Street, Room 209
Fredericksburg, Virginia 22401

Check if there are workplaces on file that are not identified here.

The certification with regard to the drug-free workplace is required by 24 CFR part 21.

7. Definitions of terms in the Nonprocurement Suspension and Debarment common rule and Drug-Free Workplace common rule apply to this certification. Grantees' attention is called, in particular, to the following definitions from these rules:

"Controlled substance" means a controlled substance in Schedules I through V of the Controlled Substances Act (21 U.S.C. 812) and as further defined by regulation (21 CFR 1308.11 through 1308.15);

"Conviction" means a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the Federal or State criminal drug statutes;

"Criminal drug statute" means a Federal or non-Federal criminal statute involving the manufacture, distribution, dispensing, use, or possession of any controlled substance;

"Employee" means the employee of a grantee directly engaged in the performance of work under a grant, including: (i) All "direct charge" employees; (ii) all "indirect charge" employees unless their impact or involvement is insignificant to the performance of the grant; and (iii) temporary personnel and consultants who are directly engaged in the performance of work under the grant and who are on the grantee's payroll. This definition does not include workers not on the payroll of the grantee (e.g., volunteers, even if used to meet a matching requirement; consultants or independent contractors not on the grantee's payroll; or employees of subrecipients or subcontractors in covered workplaces).



MEMORANDUM

TO: Beverly R. Cameron, City Manager
FROM: David W. Nye, Chief of Police
DATE: April 8, 2013
RE: Law Enforcement Mutual Aid Agreement

ISSUE

The City Council is asked to approve the City of Fredericksburg to enter into a mutual aid agreement with the Stafford County Sheriff's Office.

RECOMMENDATION

Staff recommends approval of the mutual aid agreement.

BACKGROUND

This mutual aid agreement will facilitate cooperative efforts between the involved agencies in addressing the execution of search warrants at the Rappahannock Regional Jail in Stafford County:

- The City of Fredericksburg Police Department on occasion obtains warrants for searches of inmates at the jail suspected of crimes committed within the jurisdiction of the City of Fredericksburg.
- Current jurisdictional limitations require City of Fredericksburg Police Officers to request assistance from the Stafford County Sheriff's Office in order to execute these warrants.
- The parties wish to allow for the provision of mutual aid, and to confer legal authority upon sworn officers of the Fredericksburg Police Department to perform, without the aid of the Stafford County Sheriff's Office, specified duties while at the Rappahannock Regional Jail.
- The parties wish to confer upon sworn officers of the City of Fredericksburg Police Department jurisdiction for the execution of search warrants upon persons confined in the Rappahannock Regional Jail.

FISCAL IMPACT

There is no fiscal impact. Improvements in the efficiency of both departments are expected.

Attachment: Law Enforcement Mutual Aid Agreement



MOTION:

**April 23, 2013
Regular Meeting
Resolution No. 13-**

SECOND:

**RE: AUTHORIZING THE CITY MANAGER AND THE CHIEF OF POLICE TO EXECUTE
A LAW ENFORCEMENT MUTUAL AID AGREEMENT WITH THE STAFFORD
COUNTY SHERIFF**

ACTION:

DATE OF ADOPTION: _____

WHEREAS, the Rappahannock Regional Jail is located in Stafford County; and

WHEREAS, the City of Fredericksburg Police Department is, on occasion, issued search warrants for searches of inmates at the jail suspected of crimes committed within the City of Fredericksburg; and

WHEREAS, current jurisdictional limitations require Fredericksburg Police Officers to request assistance from the Stafford County Sheriff's Office in order to execute these warrants; and

WHEREAS, the City of Fredericksburg and the Sheriff of Stafford County wish to provide for the provision of mutual aid, and to confer upon sworn officers of the Fredericksburg Police Department jurisdiction for these search warrants; and

WHEREAS, § 15.2-1736 of the Code of Virginia, 1950, as amended, permits the City and the Sheriff to provide for law enforcement mutual aid.

NOW, THEREFORE, BE IT RESOLVED that the City of Fredericksburg Council authorizes the City Manager and the Chief of Police to execute, deliver, and carry out the terms of the law enforcement mutual aid agreement entitled "LAW ENFORCEMENT MUTUAL AID AGREEMENT" by and between the City of Fredericksburg and Stafford County Sheriff Charles E. Jett in substantially the form submitted for approval.

This Resolution shall be effective immediately.

Votes:

Ayes:

Nays:

Absent from Vote:

Absent from Meeting:

Clerk's Certificate

I, the undersigned, certify that I am Clerk of Council of the City of Fredericksburg, Virginia, and that the foregoing is a true copy of Resolution No. 13- duly adopted at a meeting of the City Council meeting held _____ at which a quorum was present and voted.

Tonya B. Lacey
Clerk of Council

LAW ENFORCEMENT

MUTUAL AID AGREEMENT

This is a mutual aid agreement by and between the **CITY OF FREDERICKSBURG** and **STAFFORD COUNTY SHERIFF CHARLES E. JETT**.

RECITALS

- A. The Rappahannock Regional Jail is located at 1745 Jefferson Davis Highway in Stafford County.
- B. The Rappahannock Regional Jail holds prisoners arrested for or convicted of criminal offenses within the jurisdiction of the City of Fredericksburg.
- C. The City of Fredericksburg Police Department is, on occasion, issued warrants for searches of inmates at the jail suspected of crimes committed within the jurisdiction of the City of Fredericksburg.
- D. Current jurisdictional limitations require City of Fredericksburg police officers to request assistance from the Stafford County Sheriff's Office in order to execute these warrants.
- E. Pursuant to §15.2-1736 of the Code of Virginia, 1950 as amended, the Parties wish to provide for the provision of mutual aid, and to confer legal authority upon sworn officers of the Fredericksburg Police Department to perform, without the aid of the Stafford Sheriff's Department, specified duties while at the Rappahannock Regional Jail.
- F. The parties wish to confer upon sworn officers of the City of Fredericksburg Police Department jurisdiction for the execution of these search warrants upon persons confined in the Rappahannock Regional Jail.

NOW THEREFORE, in consideration of the mutual benefits to be derived from a law enforcement mutual aid agreement, the undersigned parties do agree as follows:

1. Execution of Search Warrants

Sworn officers of the Fredericksburg Police Department are hereby granted authority to execute any lawfully issued warrant for the search of any person, place or objects confined or held at the Rappahannock Regional Jail in Stafford County.

2. Legal authority, immunities, exemptions, and employment benefits of responding personnel.

Any sworn police officer of the Fredericksburg Police Department, regular or auxiliary, while performing his or her duties pursuant to this Agreement, shall have the same authority as he or she has within the City of Fredericksburg. All pension, relief, disability, death benefits, workers' compensation, and other benefits enjoyed by officers rendering assistance pursuant to this Agreement shall extend to services performed under this Agreement as if those services had been rendered within the appointing jurisdiction.

3. Costs.

Unless otherwise agreed in writing, the parties shall not be liable to each other for reimbursement for costs associated with, or arising out of, the rendering of assistance pursuant to this Agreement. The parties shall not be liable to each other for reimbursement for injuries to law enforcement officers or personnel, or damage to equipment incurred in going to or returning from another jurisdiction.

4. Immunities of parties.

The services performed and expenditures made under this Agreement shall be deemed to be for public and governmental purposes and all immunities from liability enjoyed by the Parties within their respective jurisdictions shall extend to their participation in rendering assistance

outside their jurisdiction pursuant to this Agreement.

5. Liability and insurance coverage.

Each party will be responsible for its own actions and those of its personnel, both regular and auxiliary, paid and volunteer.

6. Amendment.

This Agreement may be amended by written concurrence of both of the parties.

7. Termination


This Agreement can be terminated by either party upon thirty days written notice to the other party.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed
on this _____ day of _____, 2013.

CITY OF FREDERICKSBURG

By: _____
Beverly R. Cameron, City Manager

STAFFORD COUNTY SHERIFF


Charles E. Jett

CHIEF OF POLICE
CITY OF FREDERICKSBURG

David Nye

FREDERICKSBURG
**ECONOMIC
DEVELOPMENT
AUTHORITY**

706 Caroline Street
Fredericksburg, VA 22401

(540) 372-1216
(540) 372-6587 Fax

ECONOMIC DEVELOPMENT AUTHORITY MINUTES (EDA)

March 11, 2013

**City Hall, The Suite (Second Floor)
715 Princess Anne Street
Fredericksburg, VA**

The Economic Development Authority of the City of Fredericksburg, Virginia met in regular session on Monday, March 11, 2013 beginning at 8:30 a.m. in The Suite at City Hall.

EDA MEMBERS PRESENT. Chris Hornung, Chairman, presiding. Joe Wilson, Bob Carter, Michael Colangelo, Steve D'Lugos, Tom Crimmins and Amy LaMarca.

ABSENT. None.

ALSO PRESENT. City of Fredericksburg Department of Planning and Community Development: Erik Nelson, Senior Planner; **EDA Counsel:** Blanton Massey; **Department of Economic Development and Tourism:** Karen Hedelt, Director; Richard Tremblay, Assistant Director for Economic Development; Amy Peregoy, Marketing and Information Specialist.

DETERMINATION OF QUORUM. Chairman Hornung determined that a quorum was present.

AGENDA. Mr. Crimmins requested the addition of Main Street under Committee Reports, item c.

Upon a motion by Steve D'Lugos, seconded by Tom Crimmins, the agenda was approved: Ayes (5); Nays (0).

PUBLIC COMMENTS. None.

PRESENTATION BY ERIK NELSON, SENIOR PLANNER, PLANNING AND COMMUNITY DEVELOPMENT, CITY OF FREDERICKSBURG – HISTORIC SIGN MASTER PLAN.

Mr. Nelson presented an overview of the historic sign designs, locations, replacement costs and potential funding. After a brief discussion, Chairman Hornung thanked Mr. Nelson for his presentation.

APPROVAL OF MINUTES. Upon a motion by Bob Carter, seconded by Steve D'Lugos the minutes from December 10, 2012 and February 11, 2013 meetings were approved: Ayes (7); Nays (0).

TREASURER'S REPORT. Mr. Carter presented the budget update and February financial statement. The financial statement and budget were approved as presented.

Upon a motion by Bob Carter, seconded by Steve D'Lugos, the budget and February financial statement were approved: Ayes (7); Nays (0).

CHAIRMAN'S REPORT. None.

COMMITTEE REPORTS.

- a. **Renwick Building Reuse Exploratory Committee** – Ms. LaMarca reported Jeff Small, Clerk of Court, gave a tour of the Renwick building during the last meeting. Discussion items included a range of potential uses and renovations of the building to include the old jail facility. The next meeting is March 28th; a presentation on historic tax credits will be given. Federal tax credits would be available if 50% of the building is used for non-governmental purposes.
- b. **Riverfront Park Task Force** – Mr. Crimmins reported the task force will meet on March 13th. Mr. Crimmins would like to schedule a presentation by Rhodeside & Harwell for the economic development component of the riverfront for the EDA. Chairman Hornung requested a proposal for the economic development element of the park plan be developed to present to the City Manager and City Council.
- c. **Main Street** – Mr. Crimmins and Mr. Wilson updated the board on the status of the Main Street Program. Ms. Hedelt noted the state application has been executed by the city. Chairman Hornung asked Mr. Wilson and Mr. Crimmins to negotiate a memorandum of understanding between the EDA and FMSI for the proposed \$35,000 FY14 EDA funding.

STAFF REPORT.

Mr. Tremblay noted the next EDA meeting will be held in City Council Chambers. Kathy Frazier will give her report on the Princess Anne Street Site and Property Assessment. Ms. Frazier will also begin her analysis of the Lafayette Boulevard corridor with residential property will be considered.

The Virginia Downtown Development Association award submission for the 2013 Awards of Excellence for the EDA's Commercial Façade Improvements Matching Grants Program will be submitted on March 15th.

Mr. Tremblay requested comments from the board for the March 1 cycle of grant applications.

OLD BUSINESS. None.

NEW BUSINESS.

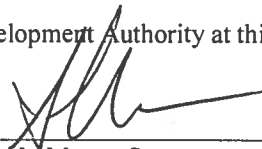
Fork & Pint, Performance Agreement Amendment – Mr. Tremblay requested the EDA's support of amending the opening date of Vivify Burger and Lounge to August 30, 2013 from April 1, 2013. The performance agreement amendment is on City Council's agenda for March 12th.

Upon a motion by Joe Wilson, seconded by Amy LaMarca the EDA is in support of amending the opening date on the Fork & Pint performance agreement: Ayes (6); Nays (0).

BOARD MEMBERS COMMENTS. None.

ADJOURNMENT.

There being no further business to come before the Economic Development Authority at this time, Chairman Hornung declared the meeting officially adjourned at 9:55 a.m.



Amy LaMarca, Secretary

Fredericksburg Arts Commission (FAC)
March 7, 2013
Fredericksburg City Hall, 715 Princess Anne Street

In Attendance: Seth Casana, Judy Perry, Michelle Crow-Dolby, George Solley, Harvey Gold, Steven Graham, and Collette Caprara

Absent: Kimberly Kemp, Ryan Poe, Ellen Killough

February Minutes: Approved: GS/HG

New commissioner, Steven Graham introduced.

COMMITTEE REPORTS

EVENTS

1. Via Colori

GS: Consideration of expanding Via Colori to an “Arts Weekend” in the city: 4th Weekend in September—Sept 28-29.

Prospects:

Artful Dimensions has expressed an interest in an arts fair on Charles Street the same weekend . Welsh Festival is typically held on Charles St. that weekend—UMW Parents’ Weekend—could be collaborative event with Artful Dimensions.

Bill Harris’ Art Attack could be held that weekend.

Restaurants have considered this in the past.

Market Square could be a venue, especially given that FAMCC (Fredericksburg Area Museum and Cultural Center) is coordinating Via Colori.

JP: Fredericksburg’s Art in the Park could be moved to Market Square.

Fredericksburg All Ages could be included.

The weekend would also include a free concert at UMW

Other prospects—Art Comes Alive at FAMCC and Stage Door Productions.

Front Porch could provide some PR

Action Points:

GS will talk with Bill Harris.

JP will talk to Scott Harris (James Monroe Museum) regarding Welsh Festival

2. **FAC Public Meeting**

MCD: All the groups that are prospects for Arts Weekend could be invited.

JP: FAC public art plan would be unveiled.

GS: FAMCC has offered a site. Need a date and time.

Purpose would be to get feedback both from the arts community and the general public. The agenda could be both FAC public arts policy and in general what the people want to see in the arts.

JP: We have had two “Art after Hours” events for the arts community in the past at FAMCC scheduled for the Thursday before FAC meetings.

For this meeting, we would need a clearly defined agenda.

SC: Harrisonburg, VA, hosted a similar event. Theirs was coordinated through working groups that formed on the basis of “areas of interest” posted by attendees at the beginning of the meeting. The groups met simultaneously to discuss their issues and reported their findings and suggestions. This was a very grassroots structure.

JP: The FAC Public Arts Policy could be presented at another meeting.

GS: Challenge would be to get people to attend. Personal outreach has worked well in the past.

HG: Program? Time? (eg not a weekday morning) Define target audience.

PUBLIC ART

FAC Public Arts Policy

HG: Will send out a draft of the policy with FAC input to SC’s document. All other cities start with a definition of public art. Some include a section on corporate art.

SC: One issue is signage vs. art: commercial purpose.

GS: This issue involves two questions: Will FAC fund it? Does it conform to the city’s signage policy?

JP: We don’t want to be in a position to judge the quality and nature of the art. Though we might have input in what is depicted, we don’t want to micromanage.

Example: **Roberson Mural**

HG: the Economic Development Authority (EDA) has offered \$3,000 toward the mural.

SC: EDA and FAC have different missions

EDA promotes economic development: FAC promotes the arts.

JP: City Attorney has offered to review issue of commercial art vs. public art.

HG: Deadline for commissioners' input into Draft of Public Art Policy will be March 14.

VENUES

GS/KK have talked about the longstanding need for a performing arts venue in the city. Need 100-125 capacity. Looking for existing sites that could be converted for that use.

e.g. Renwick Court Building.(GS The City doesn't want to leave it empty but there would be an enormous cost of renovation.)

GRANTS

Government Challenge Grants.

JP: 8 applications have been received. To qualify, organization must score at least 25.

(Organizations receive points for rehearsals/proposals/ mailing address/ performances (and number of performances) within the City.

Deadline is April 1. GS and EK will score the applications. FAC will later review scoring.

JP Grants are for operating expenses.

SC Two EDA grants are available. EK and SC will give input.

Public Art Policy must be adopted before the Aurora Bench is approved.

Adjourn M-CD/JP 9:05 p.m.



PLANNING COMMISSION

MINUTES

March 13, 2013

7:30 P.M.

**CITY OF FREDERICKSBURG
715 PRINCESS ANNE STREET
COUNCIL CHAMBERS**

COMMISSION MEMBERS

**Dr. Roy Gratz, Chair
Berkley Mitchell, Vice-Chair, - ABSENT
Edward Whelan, III, Secretary
Roy McAfee
James Beavers
Richard Friesner
Joanne Kaiman - ABSENT**

CITY STAFF

Erik F. Nelson, Interim Director

1. CALL TO ORDER

The March 13, 2013, Planning Commission meeting was called to order at 7:30 p.m. by Chairman Roy Gratz.

2. PLEDGE OF ALLEGIANCE

3. ADOPTION OF MINUTES

- February 27, 2013 – Adopted.

PUBLIC HEARING ITEMS

- 4. STPN2013-01: University of Mary Washington Foundation** – Proposed demolition of residential properties at 1213, 1215 and 1217 Thornton Street, and 1214 Powhatan Street for the construction of a new 51-space parking lot on a 0.452 acre parcel for the University of Mary Washington. The property is zoned C-T and is located on Tax Map #188-53-1214, 188-53-1221, 188-53-1229, 188-53-1215 and 188-53-1217.

Mr. Nelson presented the application.

Harriet Brooks Rowe, 1238 Brent Street, 22401, said she did not have a problem with the parking lot proposal, per se, but that she was concerned about the aesthetics. She said she would like the applicants be required to provide landscaping, trees and/or other buffers to make the lot aesthetically blend with the area.

Mr. Richard Pearce, UMW Foundation, said they had previously met with neighbors and took several recommendations from them, and assured them that they intend to provide green areas, such as bushes, etc., and that the final product will be very attractive.

There was no further public comment on this item.

Dr. Gratz closed the public hearing on this item.

Dr. Gratz asked for clarification on the diagram that was provided in the Commission packets. He noted that the diagram shows there to be only 45 parking spaces but that the application states 51 spaces.

Mr. Keith Oster, Prime Design, said the diagram includes a few spaces that are leased from the back of the Pizza Hut parking lot that will be restriped. These spaces, he said, were included in the total of 51 spaces.

Mr. Friesner said he wanted to disclose that he is a member of the College Heights Civic Association Board of Directors, which has taken a position on this matter. He said he does not own any of the subject properties or adjoining properties and does not feel that this will affect his judgment of the matter.

Mr. McAfee made a motion to approve STPN2013-01 University of Mary Washington Foundation.

Mr. Friesner seconded the motion.

Motion carried unanimously by a vote of 5 – 0.

- 5. STPN2013-02: Cowan Commercial Development** – Proposed new construction of a 4,154 square-foot bank on a 9.43-acre vacant parcel, south of Cowan Boulevard on Jefferson Davis Highway. The property is zoned C-T Commercial transitional and is located on Tax Map #230-A-P5, P5A, P6, P8 and P11.

Mr. Nelson presented the application. He said that his cover memo had noted a concern regarding adequate vehicle access off Cowan Boulevard. Since then, however, he said the City's own on-call traffic engineering firm, Kimley-Horn Associates, concluded that a taper along Cowan Boulevard would not provide enough benefit to make it worthwhile. As a consequence, he said, staff recommends approval of the Site Plan.

Mr. Chris Hornung, Vice President of Planning and Engineering, Silver Companies, said the ultimate plan for this piece of property is to provide a series of support, retail and service establishments along the corridor. He said they also envision medical office uses. This particular application, he said, which is First Citizens Bank, are located in the City today and are looking at making an investment at this location, and would like to be open by the end of the year. He added that they would also like to see some

restaurants and possibly a drug store/pharmacy on one of the corners if they can make those arrangements with those prospects. He said they have worked with staff on all of the issues that were outstanding and believe it is a good project that will increase the real estate value in this area and will bring in services that are not currently located on this portion of Route 1.

Mr. David Nye, 1504 Keeneland Road, 22401. He said their house is one of the homes that is located directly behind this parcel that is subject for development, and while they certainly respect the right of the Silver Companies to do development in the City, and believe it is a good thing in many cases, they do have some concerns.

He said they do not object to the bank proposal that is being submitted; but that the traffic analysis which was submitted with the site plan lists several possible items they are considering developing in this location, which would require a rezoning. Specifically, a gas station and a high turnover restaurant, neither of which are permitted in the C-T zoning district – not by right, nor by special use permit. He said they purchased their lot and home, as did their neighbors, based on what the current zoning is and knew that the subject parcel could be developed based on what the current City Code and Zoning regulations were at that time. He said they are most concerned that Silver Companies will come back at a later date and ask for a rezoning and/or special use permits for businesses that will not help the property values, but instead bring those values down. He reiterated that they do not object to the bank but that they want to go on record as objecting to any future rezoning request unless an agreement can be made for adequate buffering and compensation for property values declining, if it is applicable.

Mr. Seven Hoover, 1506 Keeneland Road, 22401. He said he wanted reiterate what Mr. Nye had just discussed. He said they were not naïve enough to believe that this parcel would never be developed. However, he said, they built here in the hopes that the Commission, Zoning Committees and Council would honor how it is zoned and the way it is stated in the Comprehensive Plan. Again, he said, he wants to go on record about how they feel about keeping the zoning as is.

Mr. Whelan said he does not have any problem with the entrance the way it is currently off of Cowan Boulevard. However, he would like the record to state that as those other parcels develop that those entrances into those have to be further down on this unnamed road so the traffic does not stack up onto Cowan Boulevard.

Being no further public comment, Dr. Gratz closed the public hearing portion on this item.

Mr. Friesner asked for confirmation that the taper is not required for the entire site plan, even after additional businesses are constructed, which will cause additional traffic.

Mr. Nelson said the traffic analysis was done with the entire site being built out. He said the engineers determined that increased traffic at this particular entrance is not enough to warrant the taper.

Mr. Whelan made a motion to approve STPN2013-02 – Cowan Commercial Development.

Mr. McAfee seconded the motion.

Motion carried by a unanimous vote of 5 – 0.

- 6. SUP2013-02: Christ Lutheran Church** – Special Use Permit request for certain improvements to the sanctuary at 1300 Augustine Avenue. The property is zoned R-4 and is located on Tax Map #196-108-1300.

Mr. Nelson presented the application. He also noted that staff had received an e-mail from the College Heights Civic Association stating they do not oppose the subject request.

Mr. Charlie Payne, Attorney for the applicants, said that staff had adequately presented the proposal and added that the improvements will make the current uses of the Church more efficient.

Dr. Gratz said he has a parking/traffic concern. He said it sounds like the proposal is essentially replacing one building and making a better more integrated construction, which really will not change the number of people coming in and out of the building during the day.

Mr. Payne said this was correct.

Ms. Harriet Rowe, 1238 Brent Street, 22401, referenced the drawings submitted with the application and asked how many feet the “bump out” is compared to the existing church. And, she said, she is concerned with the massiveness of the addition. She asked what the difference in the roof height would be between the old building and the proposed addition.

Mr. James Birely, Architect for the project, said the bump out is actually the face of the existing parsonage house and is no further than the existing parsonage house. The roof line, he said, will be the same height as the existing sanctuary building.

Dr. Gratz closed the public hearing on this item.

Mr. Friesner noted that he is a member of the College Heights Civic Association, which has taken a position on this matter. He said he does not own property adjoining this facility and does not believe this affects his judgment.

Mr. Whelan made a motion to recommend approval of SUP2013-02 - Christ Lutheran Church, 1300 Augustine Avenue.

Mr. Beavers seconded the motion.

Motion carried by a unanimous vote of 5 – 0.

- 7. SUP2013-03: Rita A. Lee** – Special Use Permit request for a pre-school at 2100 Airport Avenue. The property is zoned R-4 and is located on Tax Map #248-2100.

Mr. Nelson presented the application.

Mr. McAfee noted that during the process for a previous application for a similar type of day care, Calvary Christian Center, contained language in the staff report that said it would be required to obtain and maintain State licensing. He noted that this application does not. He asked if there was a reason for the difference.

Mr. Friesner said that preschool day care facilities at churches, run by churches, operate under different licensing requirements than a standalone facility. He asked if the subject facility would be run under the church's auspices or under a standalone facility.

Mr. Nelson said Churches do have an exemption so they would not have to have certain licenses that a standalone would. He said other licensure is most likely required, but staff does not know what those requirements are.

Dr. Gratz asked if the group that is going to run the preschool is considered to be part of the church and, therefore, subject to the church's exemptions.

Mr. Nelson said his understanding is that they are part of the church.

Ms. Rita Lee, applicant, said she is a member of Arm of the Lord Ministries. However, she said, it is a standalone facility and not run by the church. She said she cannot obtain the required licensing because the licensing inspectors do not want to even see the application, not talk to them, until all zoning and other City requirements are in place.

Mr. McAfee asked Ms. Lee if it is her intent to seek licensing.

Ms. Lee said, yes, absolutely.

Barbara Lacey, 5104 McNamara Dr. 22407, read a letter passionately supporting the application. The letter was from Mr. James Peterson, who was unable to attend and dwells at C.L. Walker Boulevard, 22407.

Ms. Harriet Rowe, 1238 Brent Street, asked that approval of this project be given contingent upon certification of the teachers.

Ms. Sara Cook, 7007 Massaponnax Church Road, Spotsylvania, VA. She said she is a 21-year veteran teacher of the Fredericksburg City Schools and supports the application and early childhood education

Ms. Rita Lee (applicant) addressed the teacher certification. She said teachers technically do not have to be certified. However, she said, this is one of her requirements. She said the State regulations state teachers only need six (6) months of experience. She said, however, that her opinion is that when you are teaching children and providing quality care that you need much more than six months to really understand child development. She said her requirement will be that all teachers must have some type of certification and more experience than six months teaching experience.

Monique Pearce, 1802 New Kent Street, 22401, said she believes this will be an asset to the Mayfield community and community as a whole and supports the application 100 percent.

Virgery Anne Parker, 6500 Deer Skin Drive, said that Ms. Lee is an exceptional caregiver and fully supports the application.

Cassandra McKinney, 516 Sophia Street (Apt. 3), 22401 spoke in favor of the application and asked for its approval.

Dr. Gratz closed the public hearing on this item.

Mr. McAfee made a motion to recommend approval of SUP2013-03: Rita A. Lee, 2100 Airport Avenue, with the following condition:

- That the applicant obtain and maintain licensing from the appropriate agencies.

Mr. Friesner seconded the motion.

Motion carried by a unanimous vote of 5 – 0.

NEW BUSINESS

8. By-Laws of the Planning Commission – Review and discussion of proposed changes.

Mr. McAfee suggested that since all members of the Commission were unable to be present this evening, he would like to hold off discussion of any changes until the full Commission could be present.

Mr. Beavers said he agreed with Mr. McAfee and said he would like to also allow the opportunity for the newly hired Director of Planning to be present during discussions relating to the By-Laws.

Dr. Gratz pointed out a few grammatical errors that he would like to see corrected prior to the next discussion.

Mr. Nelson said he would clean up the draft and present it at a later date for discussion by Commissioners.

OTHER BUSINESS

9. Planning Commissioner Comment

Dr. Gratz said he had forwarded an e-mail he had received from Councilman Solley regarding the resignation of former Planning Commissioner Susan Spears on the Riverfront Task Force. He said after receiving a few responses, he had made the decision to appoint Ms. Kaiman to represent the Planning Commission on the Task Force.

Mr. McAfee said his only concern would be the scheduled time of the meetings because Ms. Kaiman may have difficulty attending some of the meetings due to parental responsibilities.

10. Planning Director Comment

Mr. Nelson said that the City Council received the revised UDO at its March 12, 2013 meeting and that the process may cycle through the process again, if needed. He noted that the changes were essentially cleaning up the document to make it consistent.

Mr. McAfee asked that the changes be highlighted so that Commissioner's can more easily identify those changes.

Mr. Nelson said the document would not be redlined but that staff would provide documented changes.

Dr. Gratz asked if a joint public hearing with City Council would be possible if it is decided that an additional public hearing of the Planning Commission is needed.

Mr. Nelson said he believes it would be possible but that most of the changes were to provide clarity after comments received from public hearings already conducted.

Mr. Nelson said there would be no meeting of the Planning Commission on March 27, 2013, as all business on this evening's agenda has been completed.

Meeting Adjourned



Dr. Roy Gratz, Chair

POTOMAC AND RAPPAHANNOCK
TRANSPORTATION COMMISSION (PRTC)

OFFICIAL COMMISSION MEETING

MINUTES

DATE: March 7, 2013
TIME: 7:00 p.m.
LOCATION: PRTC Transit Center
14700 Potomac Mills Road
Woodbridge, VA 22192-6811

1. CALL TO ORDER

In Chairman May's absence, Vice Chairman Jones called the meeting to order at 7:00 p.m., with a quorum present.

2. ROLL CALL

MEMBERS PRESENT

*Richard Anderson	Virginia House of Delegates
*Maureen Caddigan	Prince William County
*Wally Covington	Prince William County (arrived at 7:20 p.m.)**
*John Jenkins, Immediate Past Chairman	Prince William County
*Frank Jones, Vice Chairman	City of Manassas Park
*Matthew Kelly, Treasurer	City of Fredericksburg
*Jackson Miller	Virginia House of Delegates (arrived at 7:22 p.m.)**
*Marty Nohe	Prince William County
*Benjamin Pitts	Spotsylvania County
*Frank Principi	Prince William County
*Bob Thomas, Secretary	Stafford County
*Jonathan Way	City of Manassas

MEMBERS ABSENT

Thelma Drake	Department of Rail & Public Transportation
Michael May, Chairman	Prince William County
Paul Milde	Stafford County
Toddy Puller	Virginia Senate
Gary Skinner	Spotsylvania County

ALTERNATES PRESENT

*Patrick Durany	Prince William County
*Steve Pittard	Department of Rail & Public Transportation
*David Ross	Spotsylvania County

ALTERNATES ABSENT

Hilda Barg	Prince William County
John Budesky	City of Manassas
Fred Howe	City of Fredericksburg
Lorraine Lasch	Prince William County
Suhas Naddoni	City of Manassas Park
Kevin Page	Department of Rail & Public Transportation
Hal Parrish	City of Manassas
Ty Schieber	Stafford County
Corey Stewart	Prince William County
Susan Stimpson	Prince William County
William Wren	City of Manassas Park

*Voting Member

**Delineates arrival/departure following the commencement of the PRTC Board Meeting.
Notation of the exact arrival time is included in the body of the minutes.

STAFF AND GENERAL PUBLIC

Nick Alexandrow	PRTC Transit Project Manager
Doug Allen	VRE Chief Executive Officer
Gina Altis	PRTC Executive Assistant
Doris Chism	PRTC Dir., Customer Service & Dispatch
Chris Der	PRTC Transportation Apprentice
Rob Dickerson	PRTC Legal Counsel
Joyce Embrey	PRTC Dir., Finance & Administration
Althea Evans	PRTC Dir., Marketing & Communications
Shanta Garth	FIRST TRANSIT AGM-Accounting/Admin.
Al Harf	PRTC Executive Director
Todd Johnson	FIRST TRANSIT General Manager
Eric Lee	FIRST TRANSIT AGM-Safety & Training
Bob Leibbrandt	PWC Budget & Analysis Office
Mary Marshall	PRTC Accounting & Budget Mgr.
Betsy Massie	PRTC Dir., Grant & Project Management
Eric Marx	PRTC Dir., Planning & Operations
Paul Pitchke	FIRST TRANSIT AGM-Operations
Cynthia Porter-Johnson	PRTC Transportation Project Manager
Chuck Steigerwald	PRTC Mgr., Planning & Quality Assurance
Jerry Vincent	FIRST TRANSIT Quality Assurance Mgr.

3. INVOCATION Led by Commissioner Jenkins.
4. PLEDGE OF ALLEGIANCE Led by Commissioner Way.
5. CITIZENS' TIME No citizens came forward.
6. PRESENTATIONS
 - A. First Transit General Manager Todd Johnson – Employee Recognition and Operations Report.

Mr. Todd Johnson recognized the January 2013 Operator-of-the-Month Amir Taha. Mr. Taha is an OmniLink bus operator and has been with First Transit since 2005.

Mr. Johnson reported that 19 commendations (for 17 different operators) were received during the month of February. Mr. Johnson also reported that bus operator Robert Ware received the most “commendations” in 2012. Continuing, Mr. Johnson reported that both the actual number and rate per 10,000 trips of OmniRide complaints decreased somewhat in the month of February (6.04) vs. January (6.92) despite the fact a new operator “pick” occurred, which typically causes complaints to spike a bit. Compared to February 2012 (8.35), the complaint rate per 10,000 trips is significantly lower. The 2013 year-to-date complaint rate (6.49) is about 15% lower than the same year-to-date timeframe for 2012 (7.38).

On the OmniLink bus service, Mr. Johnson reported that there was an appreciable increase in both the actual number and rate per 10,000 trips of OmniLink complaints in February (6.25) vs. January (4.54). When compared to February 2012 (7.01), the actual number and the rate of complaints are somewhat lower. The current year-to-date complaint rate (5.39) is almost 20% lower than the same year-to-date timeframe for 2012 (6.11). First Transit and PRTC management are analyzing the data and will implement corrective actions, as warranted.

Concluding his remarks, Mr. Johnson reported that eight collisions occurred in February (5 preventable and 3 non-preventable). The Accident Frequency Rate (AFR) year-to-date rate is 0.471, which pushes past First Transit’s goal of 0.353.

Vice Chairman Jones asked if the “spike” in complaints is associated with a single topic or fairly broad spread. Mr. Johnson answered fairly broad spread (e.g. operator-related issues and missed trips).

7. APPROVAL OF MINUTES

RES 13-03-01 Minutes of February 14, 2013.
[PRTC]

Commissioner Kelly moved, with a second by Commissioner Way, to approve the Minutes, as presented. There was no discussion on the motion. (KELLY\WAY; WITH MAJORITY VOTE, ANDERSON\CADDIGAN\ROSS\THOMAS ABSTAINED)

8. AGENDA APPROVAL

RES 13-03-02 Agenda of March 7, 2013.
[PRTC]

Commissioner Kelly moved, with a second by Commissioner Way, to approve the Agenda, as amended. There was no discussion on the motion. (KELLY\WAY, UNANIMOUS)

9. CONSENT AGENDA APPROVAL

RES 13-03-03 Consent Agenda of March 7, 2013.
[PRTC]

will be shared equally by PRTC and VRE. Mr. Allen noted that The Segal Company has an excellent reputation in this particular line of work, and the VRE Operations Board recommends approval of the action before the Commission this evening.

Commissioner Caddigan moved, with a second by Commissioner Jenkins, to authorize the Executive Director to award a contract with The Segal Company of Washington, D.C. for the employee classification/compensation study in an amount not to exceed \$107,500, the cost of which will be shared equally by VRE and PRTC.

Commissioner Principi asked what the shelf life is for such an employee compensation study. Mr. Allen noted that such a study should be conducted every five to seven years and it has been a while since an employee compensation study was last conducted.

Commissioner Ross asked what the time frame is for the completion of the study and how many people will be involved to implement the study. Mr. Allen answered "three months" and Mr. Harf added that the working "team" involves perhaps a half dozen individuals working part-time.

Continuing, Commissioner Ross asked if the contract amount (\$107,500) was the lowest bid received. Mr. Allen noted that it wasn't the lowest bid and explained that cost was not an evaluation criterion, but was accounted for once the technical evaluation of the proposals was completed to confirm that the cost was (is) reasonable. Mr. Harf added that he participated as a member of the "evaluation committee," and noted that the price proposal was higher than the other two proposals, with a variation among the proposals which was not large -- \$10,000 to \$15,000 -- meaning that all the proposals were judged to be within the reasonable range.

Commissioner Pittard asked what the goal is for the study. Mr. Allen explained that it's good business practice to review classifications and salaries periodically. The VRE Operations Board expressed concern about the level of salaries when he arrived as VRE's new CEO and suggested that they be reviewed. Mr. Harf added that PRTC's adopted personnel policy calls for a classification study to be done once every three years to assess whether positions are properly classified, and went on to say that PRTC is long overdue since the last study was done in 2006. Mr. Harf explained that PRTC was again preparing to conduct a classification assessment in FY 2014 but, with Mr. Allen's arrival and the VRE Operations Board's stated interest in seeing an assessment done now, it was sensible for the effort to be accelerated and conducted by an outside, highly qualified firm to lend further credence to the eventual findings and conclusions. Previous studies of this sort were in-house efforts, Mr. Harf noted, and while the previous findings and recommendations were well received by the Board, the present set of circumstances appeared to warrant the use of a consultant.

Commissioner Ross asked if the study is being done because the salaries are too high/low. Mr. Harf observed that there isn't a presupposition about what the outcome will be by either management or the consultant. Continuing, Mr. Harf explained that it's appropriate to reassess whether or not the classifications of the positions are properly pegged in relation to the market place since PRTC/VRE are constantly recruiting for replacement personnel. Mr. Harf also noted that both upward and downward adjustments are plausible, but he went on to say that adjustments in the downward direction are not commonplace. There was no further discussion on the motion. (CADDIGAN\JENKINS, UNANIMOUS)

11. CHAIRMAN'S TIME

RES 13-03-07 A. Expression of Appreciation to John Grzejka.
[PRTC]

At this time, Vice Chairman Jones asked Commissioner Way to read into the record the resolution which expresses the Commission's appreciation for the services and contributions on the occasion of the retirement of the City of Manassas Commissioner of Revenue John Grzejka. After reading the resolution, Commissioner Way moved, with a second by Commissioner Caddigan, to express appreciation for John Grzejka's service and contributions and wishes him (and his family) a happy and healthy retirement. There was no discussion on the motion. (WAY\CADDIGAN, UNANIMOUS)

[Commissioner Covington and Commissioner Miller arrived at 7:20 p.m. and 7:22 p.m., respectively, and was absent for the vote on Items 7, 8, 9 (9A-9B), 10-C, and 11-A]

[PRTC\Info] B. Expression of Appreciation to Eric Marx.

Vice Chairman Jones recognized PRTC's Director of Planning and Operations Eric Marx for 20 years of service with PRTC and presented Mr. Marx with a certificate and token of appreciation.

12. EXECUTIVE DIRECTOR'S TIME

[PRTC] A. Executive Director's Report.

Mr. Harf noted that an information report detailing the outcome of the legislative session is located elsewhere in the board kit and highlighted three bills of importance to PRTC:

- HB 2313 -- Transportation Funding Bill containing statewide and regional components. Mr. Harf began with a summary of the statewide component, noting that it is expected to yield about \$880 million/year by 2018, ramping up to that level over time. The bill is funded by six sources of funds: 1) a new 3.5% wholesale gas tax that will substitute for the current 17.5 cent gas tax ; 2) a lowering of the discount that currently exists for motor vehicle sales so the discount is limited to 1% (meaning that if you buy a vehicle in Virginia beginning in July, you will pay 4.3% sales tax instead of 5.3% sales tax); 3) an increase in the statewide sales tax from 5.0% to 5.3% (with 40% of the revenue resulting from this increase being designated for intercity rail and transit); 4) an increased fee for alternative fuel vehicles -- doubling it from \$50 to \$100; 5) an increase in the percentage of the existing statewide sales tax dedicated to transportation purposes from a half percent up to 0.675% by 2018, which will occur in increments; and 6) designation of a portion of the revenues Virginia stands to realize if the Congress enacted an internet sales tax (i.e. referred to as the Market Place Equity Act; MPEA).

Mr. Harf went on to say that if Congress doesn't enact the MPEA, HB 2313 provides for a further, 1.6% increase in the wholesale gas tax, raising it from 3.5% to 5.1%. Finally, Mr. Harf noted that the bill also provides for the first \$300 million of the funds designated for the "Highway Maintenance and Operating Fund" to be used for the Metrorail "silver line" project (Phase II of the MetroRail extension to Dulles Airport), thereby lessening the dependency on tolls to pay for that project.

Continuing, Mr. Harf summarized the regional component of HB 2313, observing that it has both Northern Virginia and the Hampton Roads elements. He explained that the regional component is funded by three sources. First, an additional 0.7% increase in the sales tax, which would increase the sales tax in Northern Virginia and Hampton Roads from 5.3% (which is the

statewide rate by virtue of HB 2313) to 6%. The second source is a 3% transient occupancy tax (hotel tax), and the third source is a 25 cent per \$100 grantor's tax.

Turning to the uses of the "regional component" funds in Northern Virginia, Mr. Harf explained that there are two parts. Seventy percent is designated for transit and road projects that the Northern Virginia Transportation Authority (NVTA) will select, guided by statutory direction about types of projects that qualify (i.e. they must increase capacity or ease congestion). The other thirty percent is designated for the NVTA member jurisdictions to be used for transportation purposes of their own choosing, provided that the jurisdictions either raise their commercial and industrial tax to the allowable maximum or set aside an equivalent amount of revenue designated explicitly for transportation investment. Jurisdictions that don't meet this proviso forfeit all or a portion of their shares.

Mr. Harf noted that Commissioner Nohe (NVTA Chairman) will preside over a meeting to be held by the NVTA member jurisdictions on March 8th at the Northern Virginia Regional Commission (NVRC) offices to discuss HB 2313 and next steps for the region as well as discussion about technical amendments to the legislation that the NVTA might seek, before the Governor acts.

- SB 1140 -- Transit Funding Allocation Bill. Mr. Harf noted that this bill was (is) an outgrowth of the SJR-297 study that VDRPT led. He reminded the Commission that the SJR-297 Study examined the question of whether existing transit funds should be distributed in a different manner, and went on to say that VDRPT concluded that they should – a conclusion that PRTC and others faulted. Mr. Harf explained that while the original version of SB 1140 (sponsored by Senator Petersen) envisioned the redistribution of existing funds as VDRPT proposed, but ended up being amended so existing funds are distributed as they are today and new funds as promised by HB 2313 distributed in a different fashion. SB 1140 does not prescribe how new funds will be distributed, Mr. Harf noted, opting instead to call for VDRPT -- in conjunction with a newly formed "Transit Service Advisory Committee (TSAC) -- to develop a set of proposed performance measures for that purpose. The bill also calls for a formal public review process for the proposed performance measures before they're enacted, and a review of the prospective measures by pertinent legislative committees as well.

Continuing, Mr. Harf explained that the dividing line in the bill is defined as \$160 million which equates roughly to the amount of existing money for transit operating and capital assistance, so the new performance measures will apply to only funds resulting from HB 2313 expressly for transit operating purposes. With regard to TSAC appointments, Mr. Harf explained that there will be eight all-told – three appointed by VDRPT, two by the Virginia Transit Association (VTA), and one each by VML, VACO, and the Community Transit Association (CTA).

Mr. Harf noted that SB 1140 also sanctions a practice that VDRPT has been using in recent years to differentiate between types of capital projects, such that the state participation rate varies depending on the importance of the project as VDRPT perceives it. VDRPT has been able to differentiate in this fashion to date only because it has had access to bond funding, whereas SB 1140 authorizes the same practice for all capital funding appropriated to VDRPT for disbursement. Mr. Harf went on to say that SB 1140 directs VDRPT to also consult with the TSAC on prospective participation rates.

Mr. Harf concluded his remarks about SB 1140 by noting that VDRPT has important decisions to make about the timing of the release of the new funds, balancing the eagerness on the one hand to see the new funds awarded quickly they can be put to good use, and the downside risk of

awarding the funds too quickly, such that the new money simply lessens local jurisdictional appropriations for transit rather than increasing transit investment overall. Mr. Harf went on to say that this would surely be a topic of further discussion with the TSAC.

Commissioner Pittard noted that revenues will start to come in on July 1st and that VDRPT doesn't want to sit on the funds for a whole year, so it is eager to see decisions as required to be made by VDRPT in consultation with the TSAC as soon as possible. At the same time, there is a likelihood of FY 2014 funds being awarded in increments because it will take some time for decisions as required to be made.

- HB 2152 -- voting rights bill sponsored by Delegate Anderson. Mr. Harf noted that the bill has an enactment date of July 2014, affording time for the changes it envisions to the state's voting prerogatives/weights and voting privileges on both the VRE Operations Board and the PRTC Board to be made. Mr. Harf explained that HB 2152 will necessitate changes to the "governance" agreements that apply to both VRE (Bylaws and Master Agreement) and PRTC (Bylaws). The changes pertaining to the VRE are more consequential – they call for the state to command as much weight in a contested voting situation as the weight of the largest contributing local member jurisdiction, so long as the state's financial contribution that year is as great as the largest contributing local member jurisdiction.

Concluding, Mr. Harf explained that the changes to the voting practices of the PRTC Board are more nuanced. Presently for an action to be affirmed by the PRTC Board, there are two "tests" that have to be met -- a majority of the board members present and a majority of the member jurisdictions must be of the same mind. Once HB 2152 becomes effective in July 2014, the requirement that a majority of the member jurisdictions be of the same mind disappears such that an action becomes solely dependent on a majority of the members present being of the same mind. Mr. Harf noted that the motivation for this change is to have the state's vote count in exactly the same fashion as anybody else's at the table.

Commissioner Pittard asked if the changes to the state's voting prerogatives/weights and voting privileges on both the VRE Operations Board and the PRTC Board also means that the Delegates and Senators will have a vote. Mr. Harf replied that HB 2152 does not change that, noting that their votes are currently counted just as all others are for the purpose of tallying whether a majority of members present are of the same mind. All that HB 2152 changes as it pertains to PRTC voting is to eliminate the "jurisdictional majority" requirement.

Commissioner Ross asked for further clarification of the weighting change pertaining to the state's vote, and whether the change means that the state's voting weight become equal to Prince William's (the largest local jurisdictional contributor to both VRE and PRTC). Mr. Harf replied that the "weighting" change pertains to the VRE Operations Board only. Commissioner Ross also asked whether Delegate Anderson's and Delegate Miller's votes would be affected by HB 2152 with regard to the VRE Operations Board, to which Mr. Harf replied that there are no legislative appointees on the VRE Operations Board.

Commissioner Ross also asked if this is similar to the discussion that took place at FAMPO about unelected people being able to vote. Mr. Harf replied that there are loose parallels, and he clarified that only elected officials are permitted to serve as board members on the VRE Operations Board, with the exception of the state appointee. With regard to the PRTC Board, a non-elected person can be appointed as an alternate board member so long as that person is appointed by the member jurisdiction's governing body.

Commissioner Miller noted that he voted with the entire democratic caucus against HB 2152.

Moving to another subject, Mr. Harf reported that Metro is in the concluding stages of a procurement for a successor fare payment card (termed the “New Electronic Payment Program” or NEPP) to the SmarTrip card, which will allow people to buy riding privileges using a variety of payment media (e.g. debit cards, credit cards, store purchase cards). Mr. Harf noted that PRTC is working closely with Metro to ensure that all of the ramifications of the NEPP card have been carefully thought through. PRTC is particularly sensitive, because it’s on the periphery of the region where densities are lower and fewer people are within walking distance of business establishments that will be selling the new cards, since there’s a sizable incidence of people who live in the area who don’t have credit cards or a banking institution relationship which is to say they’re still cash-reliant for their purchases. Mr. Harf went on to say that the procurement has a long implementation period, meaning that the NEPP card and the SmarTrip card will co-exist with each other for a number of years.

Since this will be a massive expense, Commissioner Durany asked if PRTC has budgeted for this project. Mr. Harf explained that costs are not yet known but whatever they might be, they won’t be anytime soon since each of the region’s providers will have a few years’ “window” to decide when to opt in.

Vice Chairman Jones added that the card business itself is changing as well as the form factor in the media. The whole migration to the NEPP card will allow, for instance, people who carry Federal ID cards to use their Federal ID card instead of having to buy cards to fund transit. It’s not only in the capitol region that the standard is being set, but a standard that will cross the entire nation. Vice Chairman Jones noted that a “prototype” test is currently being conducted in four or five locations around the country and that a card form factor is going to be a weigh point, which at some point will migrate to smartphones that will probably be the media of choice.

[PRTC\Info]

Presentations:

1. 40-Foot Low-Floor Bus – Customer Seating and Lighting Concerns.

Mr. Harf reminded the Commission that two customers spoke during “Citizens’ Time” at the February 14th meeting to express their concerns about the fact that the new transit buses PRTC acquired have a different seat type and don’t have overhead lighting. Staff responded to their concerns during the course of meeting, but VDRPT Director Drake thought that a follow up presentation to clarify the situation more fully would be apt. At this time, Mr. Harf gave a briefing on the “40-Foot Low-Floor Bus -- Customer Seating & Lighting Concerns.” A question/answer session followed -- there were no questions.

2. Comparison of FY 2012/FY 2013/FY 2014 Budgets.

Mr. Harf reminded the Commission that at the February 14th meeting, VDRPT Director Drake asked how the proposed FY 2014 budget compares with the FY 2013 and FY 2012 budget. Since staff wasn’t in the position at that time to answer Director Drake’s question fully, a briefing on the subject is being provided this evening. At this time, Mr. Harf gave a briefing on the “FY 2012/FY 2013/FY 2014 Budget Comparison”. A question/answer session followed -- there were no questions.

3. Status Report on FY 2012 Audit Corrective Action Plan.

Mr. Harf gave a briefing about the corrective action plan that was presented in conjunction with the FY 2012 audit, noting that progress has been as anticipated on two of the four efforts while there has been some slippage on the other two for reasons summarized in the briefing. He reminded the Commission that the corrective action plan was conceived in response to the four “material weakness” findings identified by PRTC’s external auditor in conjunction with the completed FY 2012 audit, all of which were presented to the Commission in January and February. The corrective action plan has particular milestones associated with it including particular timelines, and the question posed by Director Drake was (is) how PRTC is faring in relation to the corrective action plan.

The ensuing discussion focused principally on one of the two efforts where there has been schedule slippage, namely state grant billings. A companion spread sheet distributed by Mr. Harf showed some \$606,000 of expenditures that can be billed against state grants that have not been billed as yet, prompting Commissioner Principi to ask what that amounts to as a percentage of the overall state grants PRTC has received. Referring to the spread sheet, Mr. Harf replied that the active state grants (aka grants received) have a remaining total balance of \$14.98 million, so the amount awaiting billing is about 4% of the total. Mr. Harf went on to say that not all of the \$14.98 million of awarded state grant funding is billable at this time, however, since the state grants are reimbursable and therefore billings have to post-date the expenditures. Elaborating, Mr. Harf said many of the grants are relatively new, without any expenditures as yet.

With regard to “grant billing” comments appearing on the spread sheet, Commissioner Covington asked Mr. Harf to clarify what is meant by the comment “reimbursement request for expenditures through 11/30/12 in process.” Mr. Harf replied that this means the documentation that needs to accompany the reimbursement request has been assembled and is in the midst of an internal quality assurance check to ensure that it is fully supported before it is sent.

Commissioner Way asked if the “material weakness” findings stemming from the completed audit are a consequence of timeliness problems arising from the start up of a new financial system, not findings evidencing a misuse or forfeiture of funds. Mr. Harf replied affirmatively.

The discussion then shifted to a second spread sheet Mr. Harf distributed showing what is termed “open not yet awarded grants.” Mr. Harf explained that the grants appearing on this spread sheet totaling \$1.6 million are grants that VDRPT intends to award to PRTC but has not as yet, because VDRPT has a policy of not awarding matching funds for a federal grant until the federal grant is awarded. Continuing, Mr. Harf explained that when PRTC receives the federal grant, it informs VDRPT, after which the matching funds for that grant are awarded. Mr. Harf went on to observe that some expenditures have already been incurred against both the awaited federal grants and the matching state funds, because that’s allowable under a federal grant provision called “pre-award authority.” Pre-award authority enables a grantee to incur costs before the grant is awarded and reimburse itself once the grant is awarded, which PRTC and other grantees do selectively for project investments that are time-sensitive and can’t wait until the grant is awarded. Again referring to the “open not yet awarded grants” spread sheet, Mr. Harf noted that the already incurred expenditure against these grants totals \$424,819. Thus, the sum of expenses associated with state grants that has not been billed as yet is a little more than one million dollars -- \$606,000 associated with active grants and the rest associated with “open not yet awarded grants.”

Commissioner Pittard observed that the corrective plan timeline that PRTC set forth for grant billings was missed, and he went on to say it’s troubling that out of 68 grants, PRTC has 42 grants with a zero billing or over 60% of the grants. With regard to the “open not yet awarded

grants,” Commissioner Pittard said that VDRPT is simply adhering to its policy of not awarding the grant until the federal grant is awarded. Commissioner Pittard defended this policy, noting that VDRPT is held accountable for the grants it awards and needs to ensure that the grants it makes for matching purposes are made for federal funds that are in fact awarded. He went on to say that state grant funding sitting idle while awaiting federal grants pose a problem of a different sort for VDRPT, namely that such grants give rise to pressures to move the money to places where it can be put to good use more quickly. Finally, Commissioner Pittard noted that while he doesn’t see any imminent danger of PRTC losing grant funds, a problem of that sort could arise if the problem persists for too long.

Responding to Commissioner Pittard, Mr. Harf pointed out that some of the grants haven’t had any activity because the expenditures have not been incurred as yet. A prime example is the property acquisition for the Westerly Maintenance Facility. Mr. Harf noted that PRTC is about two months away to close on the Westerly Maintenance Facility property acquisition, which is a listed grant that PRTC hasn’t billed VDRPT for since no expense has been incurred as yet. Once the expense has been incurred, VDRPT will be billed for the entire amount immediately.

Mr. Harf reiterated that a corrective action/recovery plan is in place and, while not all of the plan milestones have been met, significant progress has been made “climbing out of a very significant hole” related to the implementation of a new financial management system, a “hole” that PRTC management has been very forthcoming about over the course of many months.

Commissioner Pittard acknowledged that progress is readily apparent based on the report he reviewed over the past several days as more grant billings occurred in December and January, but PRTC needs to remain vigilant with regard to the grant billing. Vice Chairman Jones noted that PRTC expects to be caught up in the April/May timeframe.

With regard to the federal grants, Vice Chairman Jones asked how many grants PRTC has applied for that the feds have not awarded as yet. Mr. Harf replied that there are several, which are stacked up in a queue awaiting FTA’s authorization to formally submit. Mr. Harf went on to summarize the FTA grant application/grant making practice, noting that it involves a succession of steps, beginning with an FTA regional office review of the grant application as first posted to the FTA web-site. That review prompts an exchange of questions and answers which, once FTA is fully satisfied, leads to an FTA assent to the formal submission of the application. Once that happens, the Department of Labor (DOL) has a 60-day review process of its own to allow labor unions to comment on the application, leading to a DOL certification that is a prerequisite for FTA to award the grant.

Mr. Harf went on to say that the FTA regional office staffing limitations are such that grant applications remain in the queue awaiting the first FTA assent for months. Vice Chairman Jones asked if the majority of PRTC’s grants are currently in that process. Mr. Harf replied “yes,” and noted that every federal grant that PRTC has not yet received is in that queue.

Vice Chairman Jones asked whether it would be possible for the state to consider a change to its policy regarding “open not yet awarded grants,” whereby those state grants against which expenditures have already been incurred on a “pre-award authority” basis could be awarded before the federal grants are awarded. Commissioner Pittard replied that the problem appears to be a consequence in part of PRTC delaying the start of the federal grant application process, giving rise to the queue described by Mr. Harf.

Responding to Commissioner Pittard, Mr. Harf explained that federal grant applications have been delayed by a variety of factors, including a succession of Continuing Resolutions (CRs) that prevented FTA from publishing apportionment notices to let grantees know how much federal money they will be able to apply for, and delays by Congress in enacting authorizing legislation.

Characterizing this as “the new normal,” Mr. Harf used the FY 2013 situation as a case in point, noting that half of FY 2013 is over and the Congress has not yet appropriated a full year’s funding. That is expected to happen sometime soon (since the CR expires on March 27th), after which FTA will have to do all its calculations preparatory to the publication of an apportionment notice that, barring any further complications, might be forthcoming in late spring. The apportionment notice, in turn, shows what FTA funding the Washington, D.C. metropolitan area is to receive in the aggregate, setting the stage for all the grant recipients in the region to do calculations of their own to reach a consensus on how the regional pot is to be subdivided. The consensus takes the form of a “split letter” that has to be signed by all the grant recipients and sent to FTA, as a prerequisite for anyone to apply for anything. Stated more simply, Mr. Harf said the timing of the submission of federal grant applications is largely a consequence of forces over which PRTC and other applicants have no control.

Vice Chairman Jones noted that his federal agency (DOD) is well acquainted with the process Mr. Harf described, corroborating what Mr. Harf said. Continuing, Vice Chairman Jones reiterated that he would like VDRPT to re-examine whether VDRPT’s present policy about the award of state grants related to federal grants could be changed so not all such grants end up being delayed by the federal lag. Vice Chairman Jones reiterated that there are four years of history that says there’s a federal problem and that the sequencing of waiting for federal money to get state money causes some of the inherent delay.

Commissioner Pittard noted that he will take the Commission’s suggestion to VDRPT for consideration, but noted that VDRPT needs the certainty of the matching funds actually matching federal grants as the guiding principal. VDRPT is contractually bound by its governing board to ensure that before VDRPT can release the state funding.

[PRTC] B. Action Items:

RES 13-03-08 1. FTA Certifications and Assurances.
[PRTC]

Commissioner Principi moved, with a second by Commissioner Way, to authorize the Executive Director to execute the appropriate Federal Transit Administration (FTA) certifications and assurances, with concurrence of PRTC’s and VRE’s legal counsel, and execute the FTA grants awarded to PRTC on behalf of VRE and itself. There was no discussion on the motion. (PRINCIPI\WAY, UNANIMOUS)

RES 13-03-09 2. Potomac Health Foundation (PHF) Transportation Voucher
[PRTC] Program – Prospective Continuation Grant.

Mr. Harf noted that at the time of the board kit mail out, it wasn’t known if PRTC would or wouldn’t be invited to apply for a continuation grant. However, between the board kit mail out and this evening’s meeting, PRTC received word that it has been invited to do so.

Commissioner Nohe moved, with a second by Commissioner Caddigan, to authorize the Executive Director to apply for a continuation grant if the Potomac Health Foundation invites the Commission to do so.

Commissioner Way asked if this is a one-year agreement. Mr. Harf replied “yes,” and explained that the first grant PRTC received totals \$362,673. Continuing, Mr. Harf explained that the grantor anticipated that PRTC would spend the first few months with procurements, arranging the bank financing, and getting all of the materials together to launch the program. Even though the grant has a one year duration, the first half of the year was consumed by these preparatory activities, meaning the program itself was not operating. He said the grantor understood this would happen and informed PRTC at the time of the initial grant award that it was eager to see a year’s worth of actual program activity, indicating that the “vehicle” for allowing that would be a continuation grant in which PRTC could seek more time and more funding to sustain the program. Mr. Harf noted that the program was launched on February 22nd. There are four more months remaining in the fiscal year for the program activity and the continuation grant that the Commission is being asked to apply for would allow PRTC to sustain the program for 16 months all told, extending to June 2014.

Commissioner Way asked if the Transportation Voucher Program remains fully funded by the Potomac Health Foundation. Mr. Harf replied “yes.”

Commissioner Principi asked that if PRTC has funding for 16 months does it mean that there won’t be a second continuation to PRTC for the full 24 months. Mr. Harf replied that the 16 month duration would be as long as the Foundation would sustain the program funded by its resources at a maximum, since it was his understanding that there can be only one continuation grant at most. Continuing, Commissioner Principi asked whether PRTC is hiring full-time staff for the project. Mr. Harf replied that PRTC is not hiring staff, opting instead to contract for program management given the limited duration of the program. Commissioner Principi also asked if the contract manager will approve the applications for the assistance. Mr. Harf replied “yes.” There was no further discussion on the motion. (NOHE\CADDIGAN, UNANIMOUS)

RES 13-03-10 3. Procure Bus Radio System Replacement Components.
[PRTC]

Commissioner Caddigan moved, with a second by Commissioner Nohe, to authorize the Executive Director to procure bus radio system replacement components amounting to not more than \$76,768, which includes a 5% contingency allowance. There was no discussion on the motion. (CADDIGAN\NOHE, UNANIMOUS)

RES 13-03-11 4. Convene into Closed Meeting.
[PRTC]

Commissioner Thomas moved, with a second by Commissioner Principi, to convene into Closed Meeting at 7:40 p.m. for consultation with legal counsel and staff and discussion of the award of a public contract, including its terms and scope, where discussion in open session would adversely affect the bargaining position or negotiating strategy of the Commission pursuant to Section 2.2-3711.A.7 (legal) and 2.2-3711.A.29 (award of public contract under certain circumstances) Virginia Code Ann. There was no discussion on the motion. (THOMAS\PRINCIPI, UNANIMOUS)

RES 13-03-12 5. Certification of Closed Meeting.
[PRTC]

Commissioner Thomas moved, with a second by Commissioner Principi, to certify Closed Meeting at 9:05 p.m. There was no discussion on the motion. (THOMAS\PRINCIPI, UNANIMOUS)

[PRTC] 6. Items Reported Out of Closed Meeting.

Vice Chairman Jones noted that there's nothing to report out of Closed Meeting.

C. Information Items:

1. General Assembly Outcome. There were no comments.
2. MAP-21 Performance-Based Planning. There were no comments.
3. PRTC Service Performance Reports. There were no comments.
4. Communications:
 - a. Related to Funding. There were no comments.
 - b. Related to Jurisdiction. There were no comments.
 - c. General Interest. There were no comments.
5. Transportation Trends in the DC Metro Area – TTI Report. There were no comments.
6. What Do People Think About Congestion Pricing? There were no comments.

13. OTHER BUSINESS/COMMISSIONERS' TIME

Commissioner Caddigan wished everyone a happy St. Patrick's Day.

14. ADJOURNMENT

There being no further business to come before the Commission, Vice Chairman Jones adjourned the meeting at 9:10 p.m.

NEXT MEETING: Thursday, April 4, 2013, 7:00 p.m.

LOCATION: PRTC Transit Center
14700 Potomac Mills Road, 2nd Floor
Woodbridge, VA 22192-6811
Main # (703) 583-7782
Fax #: (703) 583-1377
www.PRTCtransit.org

FREDERICKSBURG
**ECONOMIC
DEVELOPMENT
AUTHORITY**

706 Caroline Street
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ECONOMIC DEVELOPMENT AUTHORITY MINUTES (EDA)

March 11, 2013

**City Hall, The Suite (Second Floor)
715 Princess Anne Street
Fredericksburg, VA**

The Economic Development Authority of the City of Fredericksburg, Virginia met in regular session on Monday, March 11, 2013 beginning at 8:30 a.m. in The Suite at City Hall.

EDA MEMBERS PRESENT. Chris Hornung, Chairman, presiding. Joe Wilson, Bob Carter, Michael Colangelo, Steve D'Lugos, Tom Crimmins and Amy LaMarca.

ABSENT. None.

ALSO PRESENT. City of Fredericksburg Department of Planning and Community Development: Erik Nelson, Senior Planner; **EDA Counsel:** Blanton Massey; **Department of Economic Development and Tourism:** Karen Hedelt, Director; Richard Tremblay, Assistant Director for Economic Development; Amy Peregoy, Marketing and Information Specialist.

DETERMINATION OF QUORUM. Chairman Hornung determined that a quorum was present.

AGENDA. Mr. Crimmins requested the addition of Main Street under Committee Reports, item c.

Upon a motion by Steve D'Lugos, seconded by Tom Crimmins, the agenda was approved: Ayes (5); Nays (0).

PUBLIC COMMENTS. None.

PRESENTATION BY ERIK NELSON, SENIOR PLANNER, PLANNING AND COMMUNITY DEVELOPMENT, CITY OF FREDERICKSBURG – HISTORIC SIGN MASTER PLAN.

Mr. Nelson presented an overview of the historic sign designs, locations, replacement costs and potential funding. After a brief discussion, Chairman Hornung thanked Mr. Nelson for his presentation.

APPROVAL OF MINUTES. Upon a motion by Bob Carter, seconded by Steve D'Lugos the minutes from December 10, 2012 and February 11, 2013 meetings were approved: Ayes (7); Nays (0).

TREASURER'S REPORT. Mr. Carter presented the budget update and February financial statement. The financial statement and budget were approved as presented.

Upon a motion by Bob Carter, seconded by Steve D'Lugos, the budget and February financial statement were approved: Ayes (7); Nays (0).

CHAIRMAN'S REPORT. None.

COMMITTEE REPORTS.

- a. **Renwick Building Reuse Exploratory Committee** – Ms. LaMarca reported Jeff Small, Clerk of Court, gave a tour of the Renwick building during the last meeting. Discussion items included a range of potential uses and renovations of the building to include the old jail facility. The next meeting is March 28th; a presentation on historic tax credits will be given. Federal tax credits would be available if 50% of the building is used for non-governmental purposes.
- b. **Riverfront Park Task Force** – Mr. Crimmins reported the task force will meet on March 13th. Mr. Crimmins would like to schedule a presentation by Rhodeside & Harwell for the economic development component of the riverfront for the EDA. Chairman Hornung requested a proposal for the economic development element of the park plan be developed to present to the City Manager and City Council.
- c. **Main Street** – Mr. Crimmins and Mr. Wilson updated the board on the status of the Main Street Program. Ms. Hedelt noted the state application has been executed by the city. Chairman Hornung asked Mr. Wilson and Mr. Crimmins to negotiate a memorandum of understanding between the EDA and FMSI for the proposed \$35,000 FY14 EDA funding.

STAFF REPORT.

Mr. Tremblay noted the next EDA meeting will be held in City Council Chambers. Kathy Frazier will give her report on the Princess Anne Street Site and Property Assessment. Ms. Frazier will also begin her analysis of the Lafayette Boulevard corridor with residential property will be considered.

The Virginia Downtown Development Association award submission for the 2013 Awards of Excellence for the EDA's Commercial Façade Improvements Matching Grants Program will be submitted on March 15th.

Mr. Tremblay requested comments from the board for the March 1 cycle of grant applications.

OLD BUSINESS. None.

NEW BUSINESS.

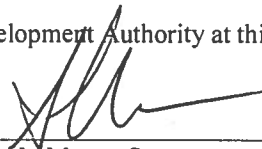
Fork & Pint, Performance Agreement Amendment – Mr. Tremblay requested the EDA's support of amending the opening date of Vivify Burger and Lounge to August 30, 2013 from April 1, 2013. The performance agreement amendment is on City Council's agenda for March 12th.

Upon a motion by Joe Wilson, seconded by Amy LaMarca the EDA is in support of amending the opening date on the Fork & Pint performance agreement: Ayes (6); Nays (0).

BOARD MEMBERS COMMENTS. None.

ADJOURNMENT.

There being no further business to come before the Economic Development Authority at this time, Chairman Hornung declared the meeting officially adjourned at 9:55 a.m.



Amy LaMarca, Secretary

Fredericksburg Arts Commission (FAC)
March 7, 2013
Fredericksburg City Hall, 715 Princess Anne Street

In Attendance: Seth Casana, Judy Perry, Michelle Crow-Dolby, George Solley, Harvey Gold, Steven Graham, and Collette Caprara

Absent: Kimberly Kemp, Ryan Poe, Ellen Killough

February Minutes: Approved: GS/HG

New commissioner, Steven Graham introduced.

COMMITTEE REPORTS

EVENTS

1. Via Colori

GS: Consideration of expanding Via Colori to an “Arts Weekend” in the city: 4th Weekend in September—Sept 28-29.

Prospects:

Artful Dimensions has expressed an interest in an arts fair on Charles Street the same weekend . Welsh Festival is typically held on Charles St. that weekend—UMW Parents’ Weekend—could be collaborative event with Artful Dimensions.

Bill Harris’ Art Attack could be held that weekend.

Restaurants have considered this in the past.

Market Square could be a venue, especially given that FAMCC (Fredericksburg Area Museum and Cultural Center) is coordinating Via Colori.

JP: Fredericksburg’s Art in the Park could be moved to Market Square.

Fredericksburg All Ages could be included.

The weekend would also include a free concert at UMW

Other prospects—Art Comes Alive at FAMCC and Stage Door Productions.

Front Porch could provide some PR

Action Points:

GS will talk with Bill Harris.

JP will talk to Scott Harris (James Monroe Museum) regarding Welsh Festival

2. **FAC Public Meeting**

MCD: All the groups that are prospects for Arts Weekend could be invited.

JP: FAC public art plan would be unveiled.

GS: FAMCC has offered a site. Need a date and time.

Purpose would be to get feedback both from the arts community and the general public. The agenda could be both FAC public arts policy and in general what the people want to see in the arts.

JP: We have had two “Art after Hours” events for the arts community in the past at FAMCC scheduled for the Thursday before FAC meetings.

For this meeting, we would need a clearly defined agenda.

SC: Harrisonburg, VA, hosted a similar event. Theirs was coordinated through working groups that formed on the basis of “areas of interest” posted by attendees at the beginning of the meeting. The groups met simultaneously to discuss their issues and reported their findings and suggestions. This was a very grassroots structure.

JP: The FAC Public Arts Policy could be presented at another meeting.

GS: Challenge would be to get people to attend. Personal outreach has worked well in the past.

HG: Program? Time? (eg not a weekday morning) Define target audience.

PUBLIC ART

FAC Public Arts Policy

HG: Will send out a draft of the policy with FAC input to SC’s document. All other cities start with a definition of public art. Some include a section on corporate art.

SC: One issue is signage vs. art: commercial purpose.

GS: This issue involves two questions: Will FAC fund it? Does it conform to the city’s signage policy?

JP: We don’t want to be in a position to judge the quality and nature of the art. Though we might have input in what is depicted, we don’t want to micromanage.

Example: **Roberson Mural**

HG: the Economic Development Authority (EDA) has offered \$3,000 toward the mural.

SC: EDA and FAC have different missions

EDA promotes economic development: FAC promotes the arts.

JP: City Attorney has offered to review issue of commercial art vs. public art.

HG: Deadline for commissioners' input into Draft of Public Art Policy will be March 14.

VENUES

GS/KK have talked about the longstanding need for a performing arts venue in the city. Need 100-125 capacity. Looking for existing sites that could be converted for that use.

e.g. Renwick Court Building.(GS The City doesn't want to leave it empty but there would be an enormous cost of renovation.)

GRANTS

Government Challenge Grants.

JP: 8 applications have been received. To qualify, organization must score at least 25.

(Organizations receive points for rehearsals/proposals/ mailing address/ performances (and number of performances) within the City.

Deadline is April 1. GS and EK will score the applications. FAC will later review scoring.

JP Grants are for operating expenses.

SC Two EDA grants are available. EK and SC will give input.

Public Art Policy must be adopted before the Aurora Bench is approved.

Adjourn M-CD/JP 9:05 p.m.



PLANNING COMMISSION

MINUTES

March 13, 2013

7:30 P.M.

**CITY OF FREDERICKSBURG
715 PRINCESS ANNE STREET
COUNCIL CHAMBERS**

COMMISSION MEMBERS

**Dr. Roy Gratz, Chair
Berkley Mitchell, Vice-Chair, - ABSENT
Edward Whelan, III, Secretary
Roy McAfee
James Beavers
Richard Friesner
Joanne Kaiman - ABSENT**

CITY STAFF

Erik F. Nelson, Interim Director

1. CALL TO ORDER

The March 13, 2013, Planning Commission meeting was called to order at 7:30 p.m. by Chairman Roy Gratz.

2. PLEDGE OF ALLEGIANCE

3. ADOPTION OF MINUTES

- February 27, 2013 – Adopted.

PUBLIC HEARING ITEMS

- 4. STPN2013-01: University of Mary Washington Foundation** – Proposed demolition of residential properties at 1213, 1215 and 1217 Thornton Street, and 1214 Powhatan Street for the construction of a new 51-space parking lot on a 0.452 acre parcel for the University of Mary Washington. The property is zoned C-T and is located on Tax Map #188-53-1214, 188-53-1221, 188-53-1229, 188-53-1215 and 188-53-1217.

Mr. Nelson presented the application.

Harriet Brooks Rowe, 1238 Brent Street, 22401, said she did not have a problem with the parking lot proposal, per se, but that she was concerned about the aesthetics. She said she would like the applicants be required to provide landscaping, trees and/or other buffers to make the lot aesthetically blend with the area.

Mr. Richard Pearce, UMW Foundation, said they had previously met with neighbors and took several recommendations from them, and assured them that they intend to provide green areas, such as bushes, etc., and that the final product will be very attractive.

There was no further public comment on this item.

Dr. Gratz closed the public hearing on this item.

Dr. Gratz asked for clarification on the diagram that was provided in the Commission packets. He noted that the diagram shows there to be only 45 parking spaces but that the application states 51 spaces.

Mr. Keith Oster, Prime Design, said the diagram includes a few spaces that are leased from the back of the Pizza Hut parking lot that will be restriped. These spaces, he said, were included in the total of 51 spaces.

Mr. Friesner said he wanted to disclose that he is a member of the College Heights Civic Association Board of Directors, which has taken a position on this matter. He said he does not own any of the subject properties or adjoining properties and does not feel that this will affect his judgment of the matter.

Mr. McAfee made a motion to approve STPN2013-01 University of Mary Washington Foundation.

Mr. Friesner seconded the motion.

Motion carried unanimously by a vote of 5 – 0.

5. STPN2013-02: Cowan Commercial Development – Proposed new construction of a 4,154 square-foot bank on a 9.43-acre vacant parcel, south of Cowan Boulevard on Jefferson Davis Highway. The property is zoned C-T Commercial transitional and is located on Tax Map #230-A-P5, P5A, P6, P8 and P11.

Mr. Nelson presented the application. He said that his cover memo had noted a concern regarding adequate vehicle access off Cowan Boulevard. Since then, however, he said the City's own on-call traffic engineering firm, Kimley-Horn Associates, concluded that a taper along Cowan Boulevard would not provide enough benefit to make it worthwhile. As a consequence, he said, staff recommends approval of the Site Plan.

Mr. Chris Hornung, Vice President of Planning and Engineering, Silver Companies, said the ultimate plan for this piece of property is to provide a series of support, retail and service establishments along the corridor. He said they also envision medical office uses. This particular application, he said, which is First Citizens Bank, are located in the City today and are looking at making an investment at this location, and would like to be open by the end of the year. He added that they would also like to see some

restaurants and possibly a drug store/pharmacy on one of the corners if they can make those arrangements with those prospects. He said they have worked with staff on all of the issues that were outstanding and believe it is a good project that will increase the real estate value in this area and will bring in services that are not currently located on this portion of Route 1.

Mr. David Nye, 1504 Keeneland Road, 22401. He said their house is one of the homes that is located directly behind this parcel that is subject for development, and while they certainly respect the right of the Silver Companies to do development in the City, and believe it is a good thing in many cases, they do have some concerns.

He said they do not object to the bank proposal that is being submitted; but that the traffic analysis which was submitted with the site plan lists several possible items they are considering developing in this location, which would require a rezoning. Specifically, a gas station and a high turnover restaurant, neither of which are permitted in the C-T zoning district – not by right, nor by special use permit. He said they purchased their lot and home, as did their neighbors, based on what the current zoning is and knew that the subject parcel could be developed based on what the current City Code and Zoning regulations were at that time. He said they are most concerned that Silver Companies will come back at a later date and ask for a rezoning and/or special use permits for businesses that will not help the property values, but instead bring those values down. He reiterated that they do not object to the bank but that they want to go on record as objecting to any future rezoning request unless an agreement can be made for adequate buffering and compensation for property values declining, if it is applicable.

Mr. Seven Hoover, 1506 Keeneland Road, 22401. He said he wanted reiterate what Mr. Nye had just discussed. He said they were not naïve enough to believe that this parcel would never be developed. However, he said, they built here in the hopes that the Commission, Zoning Committees and Council would honor how it is zoned and the way it is stated in the Comprehensive Plan. Again, he said, he wants to go on record about how they feel about keeping the zoning as is.

Mr. Whelan said he does not have any problem with the entrance the way it is currently off of Cowan Boulevard. However, he would like the record to state that as those other parcels develop that those entrances into those have to be further down on this unnamed road so the traffic does not stack up onto Cowan Boulevard.

Being no further public comment, Dr. Gratz closed the public hearing portion on this item.

Mr. Friesner asked for confirmation that the taper is not required for the entire site plan, even after additional businesses are constructed, which will cause additional traffic.

Mr. Nelson said the traffic analysis was done with the entire site being built out. He said the engineers determined that increased traffic at this particular entrance is not enough to warrant the taper.

Mr. Whelan made a motion to approve STPN2013-02 – Cowan Commercial Development.

Mr. McAfee seconded the motion.

Motion carried by a unanimous vote of 5 – 0.

- 6. SUP2013-02: Christ Lutheran Church** – Special Use Permit request for certain improvements to the sanctuary at 1300 Augustine Avenue. The property is zoned R-4 and is located on Tax Map #196-108-1300.

Mr. Nelson presented the application. He also noted that staff had received an e-mail from the College Heights Civic Association stating they do not oppose the subject request.

Mr. Charlie Payne, Attorney for the applicants, said that staff had adequately presented the proposal and added that the improvements will make the current uses of the Church more efficient.

Dr. Gratz said he has a parking/traffic concern. He said it sounds like the proposal is essentially replacing one building and making a better more integrated construction, which really will not change the number of people coming in and out of the building during the day.

Mr. Payne said this was correct.

Ms. Harriet Rowe, 1238 Brent Street, 22401, referenced the drawings submitted with the application and asked how many feet the “bump out” is compared to the existing church. And, she said, she is concerned with the massiveness of the addition. She asked what the difference in the roof height would be between the old building and the proposed addition.

Mr. James Birely, Architect for the project, said the bump out is actually the face of the existing parsonage house and is no further than the existing parsonage house. The roof line, he said, will be the same height as the existing sanctuary building.

Dr. Gratz closed the public hearing on this item.

Mr. Friesner noted that he is a member of the College Heights Civic Association, which has taken a position on this matter. He said he does not own property adjoining this facility and does not believe this affects his judgment.

Mr. Whelan made a motion to recommend approval of SUP2013-02 - Christ Lutheran Church, 1300 Augustine Avenue.

Mr. Beavers seconded the motion.

Motion carried by a unanimous vote of 5 – 0.

- 7. SUP2013-03: Rita A. Lee** – Special Use Permit request for a pre-school at 2100 Airport Avenue. The property is zoned R-4 and is located on Tax Map #248-2100.

Mr. Nelson presented the application.

Mr. McAfee noted that during the process for a previous application for a similar type of day care, Calvary Christian Center, contained language in the staff report that said it would be required to obtain and maintain State licensing. He noted that this application does not. He asked if there was a reason for the difference.

Mr. Friesner said that preschool day care facilities at churches, run by churches, operate under different licensing requirements than a standalone facility. He asked if the subject facility would be run under the church's auspices or under a standalone facility.

Mr. Nelson said Churches do have an exemption so they would not have to have certain licenses that a standalone would. He said other licensure is most likely required, but staff does not know what those requirements are.

Dr. Gratz asked if the group that is going to run the preschool is considered to be part of the church and, therefore, subject to the church's exemptions.

Mr. Nelson said his understanding is that they are part of the church.

Ms. Rita Lee, applicant, said she is a member of Arm of the Lord Ministries. However, she said, it is a standalone facility and not run by the church. She said she cannot obtain the required licensing because the licensing inspectors do not want to even see the application, not talk to them, until all zoning and other City requirements are in place.

Mr. McAfee asked Ms. Lee if it is her intent to seek licensing.

Ms. Lee said, yes, absolutely.

Barbara Lacey, 5104 McNamara Dr. 22407, read a letter passionately supporting the application. The letter was from Mr. James Peterson, who was unable to attend and dwells at C.L. Walker Boulevard, 22407.

Ms. Harriet Rowe, 1238 Brent Street, asked that approval of this project be given contingent upon certification of the teachers.

Ms. Sara Cook, 7007 Massaponnax Church Road, Spotsylvania, VA. She said she is a 21-year veteran teacher of the Fredericksburg City Schools and supports the application and early childhood education

Ms. Rita Lee (applicant) addressed the teacher certification. She said teachers technically do not have to be certified. However, she said, this is one of her requirements. She said the State regulations state teachers only need six (6) months of experience. She said, however, that her opinion is that when you are teaching children and providing quality care that you need much more than six months to really understand child development. She said her requirement will be that all teachers must have some type of certification and more experience than six months teaching experience.

Monique Pearce, 1802 New Kent Street, 22401, said she believes this will be an asset to the Mayfield community and community as a whole and supports the application 100 percent.

Virgery Anne Parker, 6500 Deer Skin Drive, said that Ms. Lee is an exceptional caregiver and fully supports the application.

Cassandra McKinney, 516 Sophia Street (Apt. 3), 22401 spoke in favor of the application and asked for its approval.

Dr. Gratz closed the public hearing on this item.

Mr. McAfee made a motion to recommend approval of SUP2013-03: Rita A. Lee, 2100 Airport Avenue, with the following condition:

- That the applicant obtain and maintain licensing from the appropriate agencies.

Mr. Friesner seconded the motion.

Motion carried by a unanimous vote of 5 – 0.

NEW BUSINESS

8. By-Laws of the Planning Commission – Review and discussion of proposed changes.

Mr. McAfee suggested that since all members of the Commission were unable to be present this evening, he would like to hold off discussion of any changes until the full Commission could be present.

Mr. Beavers said he agreed with Mr. McAfee and said he would like to also allow the opportunity for the newly hired Director of Planning to be present during discussions relating to the By-Laws.

Dr. Gratz pointed out a few grammatical errors that he would like to see corrected prior to the next discussion.

Mr. Nelson said he would clean up the draft and present it at a later date for discussion by Commissioners.

OTHER BUSINESS

9. Planning Commissioner Comment

Dr. Gratz said he had forwarded an e-mail he had received from Councilman Solley regarding the resignation of former Planning Commissioner Susan Spears on the Riverfront Task Force. He said after receiving a few responses, he had made the decision to appoint Ms. Kaiman to represent the Planning Commission on the Task Force.

Mr. McAfee said his only concern would be the scheduled time of the meetings because Ms. Kaiman may have difficulty attending some of the meetings due to parental responsibilities.

10. Planning Director Comment

Mr. Nelson said that the City Council received the revised UDO at its March 12, 2013 meeting and that the process may cycle through the process again, if needed. He noted that the changes were essentially cleaning up the document to make it consistent.

Mr. McAfee asked that the changes be highlighted so that Commissioner's can more easily identify those changes.

Mr. Nelson said the document would not be redlined but that staff would provide documented changes.

Dr. Gratz asked if a joint public hearing with City Council would be possible if it is decided that an additional public hearing of the Planning Commission is needed.

Mr. Nelson said he believes it would be possible but that most of the changes were to provide clarity after comments received from public hearings already conducted.

Mr. Nelson said there would be no meeting of the Planning Commission on March 27, 2013, as all business on this evening's agenda has been completed.

Meeting Adjourned



Dr. Roy Gratz, Chair

POTOMAC AND RAPPAHANNOCK
TRANSPORTATION COMMISSION (PRTC)

OFFICIAL COMMISSION MEETING

MINUTES

DATE: March 7, 2013
TIME: 7:00 p.m.
LOCATION: PRTC Transit Center
14700 Potomac Mills Road
Woodbridge, VA 22192-6811

1. CALL TO ORDER

In Chairman May's absence, Vice Chairman Jones called the meeting to order at 7:00 p.m., with a quorum present.

2. ROLL CALL

MEMBERS PRESENT

*Richard Anderson	Virginia House of Delegates
*Maureen Caddigan	Prince William County
*Wally Covington	Prince William County (arrived at 7:20 p.m.)**
*John Jenkins, Immediate Past Chairman	Prince William County
*Frank Jones, Vice Chairman	City of Manassas Park
*Matthew Kelly, Treasurer	City of Fredericksburg
*Jackson Miller	Virginia House of Delegates (arrived at 7:22 p.m.)**
*Marty Nohe	Prince William County
*Benjamin Pitts	Spotsylvania County
*Frank Principi	Prince William County
*Bob Thomas, Secretary	Stafford County
*Jonathan Way	City of Manassas

MEMBERS ABSENT

Thelma Drake	Department of Rail & Public Transportation
Michael May, Chairman	Prince William County
Paul Milde	Stafford County
Toddy Puller	Virginia Senate
Gary Skinner	Spotsylvania County

ALTERNATES PRESENT

*Patrick Durany	Prince William County
*Steve Pittard	Department of Rail & Public Transportation
*David Ross	Spotsylvania County

ALTERNATES ABSENT

Hilda Barg	Prince William County
John Budesky	City of Manassas
Fred Howe	City of Fredericksburg
Lorraine Lasch	Prince William County
Suhas Naddoni	City of Manassas Park
Kevin Page	Department of Rail & Public Transportation
Hal Parrish	City of Manassas
Ty Schieber	Stafford County
Corey Stewart	Prince William County
Susan Stimpson	Prince William County
William Wren	City of Manassas Park

*Voting Member

**Delineates arrival/departure following the commencement of the PRTC Board Meeting.
Notation of the exact arrival time is included in the body of the minutes.

STAFF AND GENERAL PUBLIC

Nick Alexandrow	PRTC Transit Project Manager
Doug Allen	VRE Chief Executive Officer
Gina Altis	PRTC Executive Assistant
Doris Chism	PRTC Dir., Customer Service & Dispatch
Chris Der	PRTC Transportation Apprentice
Rob Dickerson	PRTC Legal Counsel
Joyce Embrey	PRTC Dir., Finance & Administration
Althea Evans	PRTC Dir., Marketing & Communications
Shanta Garth	FIRST TRANSIT AGM-Accounting/Admin.
Al Harf	PRTC Executive Director
Todd Johnson	FIRST TRANSIT General Manager
Eric Lee	FIRST TRANSIT AGM-Safety & Training
Bob Leibbrandt	PWC Budget & Analysis Office
Mary Marshall	PRTC Accounting & Budget Mgr.
Betsy Massie	PRTC Dir., Grant & Project Management
Eric Marx	PRTC Dir., Planning & Operations
Paul Pitchke	FIRST TRANSIT AGM-Operations
Cynthia Porter-Johnson	PRTC Transportation Project Manager
Chuck Steigerwald	PRTC Mgr., Planning & Quality Assurance
Jerry Vincent	FIRST TRANSIT Quality Assurance Mgr.

3. INVOCATION Led by Commissioner Jenkins.
4. PLEDGE OF ALLEGIANCE Led by Commissioner Way.
5. CITIZENS' TIME No citizens came forward.
6. PRESENTATIONS
 - A. First Transit General Manager Todd Johnson – Employee Recognition and Operations Report.

Mr. Todd Johnson recognized the January 2013 Operator-of-the-Month Amir Taha. Mr. Taha is an OmniLink bus operator and has been with First Transit since 2005.

Mr. Johnson reported that 19 commendations (for 17 different operators) were received during the month of February. Mr. Johnson also reported that bus operator Robert Ware received the most “commendations” in 2012. Continuing, Mr. Johnson reported that both the actual number and rate per 10,000 trips of OmniRide complaints decreased somewhat in the month of February (6.04) vs. January (6.92) despite the fact a new operator “pick” occurred, which typically causes complaints to spike a bit. Compared to February 2012 (8.35), the complaint rate per 10,000 trips is significantly lower. The 2013 year-to-date complaint rate (6.49) is about 15% lower than the same year-to-date timeframe for 2012 (7.38).

On the OmniLink bus service, Mr. Johnson reported that there was an appreciable increase in both the actual number and rate per 10,000 trips of OmniLink complaints in February (6.25) vs. January (4.54). When compared to February 2012 (7.01), the actual number and the rate of complaints are somewhat lower. The current year-to-date complaint rate (5.39) is almost 20% lower than the same year-to-date timeframe for 2012 (6.11). First Transit and PRTC management are analyzing the data and will implement corrective actions, as warranted.

Concluding his remarks, Mr. Johnson reported that eight collisions occurred in February (5 preventable and 3 non-preventable). The Accident Frequency Rate (AFR) year-to-date rate is 0.471, which pushes past First Transit’s goal of 0.353.

Vice Chairman Jones asked if the “spike” in complaints is associated with a single topic or fairly broad spread. Mr. Johnson answered fairly broad spread (e.g. operator-related issues and missed trips).

7. APPROVAL OF MINUTES

RES 13-03-01 Minutes of February 14, 2013.
[PRTC]

Commissioner Kelly moved, with a second by Commissioner Way, to approve the Minutes, as presented. There was no discussion on the motion. (KELLY\WAY; WITH MAJORITY VOTE, ANDERSON\CADDIGAN\ROSS\THOMAS ABSTAINED)

8. AGENDA APPROVAL

RES 13-03-02 Agenda of March 7, 2013.
[PRTC]

Commissioner Kelly moved, with a second by Commissioner Way, to approve the Agenda, as amended. There was no discussion on the motion. (KELLY\WAY, UNANIMOUS)

9. CONSENT AGENDA APPROVAL

RES 13-03-03 Consent Agenda of March 7, 2013.
[PRTC]

will be shared equally by PRTC and VRE. Mr. Allen noted that The Segal Company has an excellent reputation in this particular line of work, and the VRE Operations Board recommends approval of the action before the Commission this evening.

Commissioner Caddigan moved, with a second by Commissioner Jenkins, to authorize the Executive Director to award a contract with The Segal Company of Washington, D.C. for the employee classification/compensation study in an amount not to exceed \$107,500, the cost of which will be shared equally by VRE and PRTC.

Commissioner Principi asked what the shelf life is for such an employee compensation study. Mr. Allen noted that such a study should be conducted every five to seven years and it has been a while since an employee compensation study was last conducted.

Commissioner Ross asked what the time frame is for the completion of the study and how many people will be involved to implement the study. Mr. Allen answered "three months" and Mr. Harf added that the working "team" involves perhaps a half dozen individuals working part-time.

Continuing, Commissioner Ross asked if the contract amount (\$107,500) was the lowest bid received. Mr. Allen noted that it wasn't the lowest bid and explained that cost was not an evaluation criterion, but was accounted for once the technical evaluation of the proposals was completed to confirm that the cost was (is) reasonable. Mr. Harf added that he participated as a member of the "evaluation committee," and noted that the price proposal was higher than the other two proposals, with a variation among the proposals which was not large -- \$10,000 to \$15,000 -- meaning that all the proposals were judged to be within the reasonable range.

Commissioner Pittard asked what the goal is for the study. Mr. Allen explained that it's good business practice to review classifications and salaries periodically. The VRE Operations Board expressed concern about the level of salaries when he arrived as VRE's new CEO and suggested that they be reviewed. Mr. Harf added that PRTC's adopted personnel policy calls for a classification study to be done once every three years to assess whether positions are properly classified, and went on to say that PRTC is long overdue since the last study was done in 2006. Mr. Harf explained that PRTC was again preparing to conduct a classification assessment in FY 2014 but, with Mr. Allen's arrival and the VRE Operations Board's stated interest in seeing an assessment done now, it was sensible for the effort to be accelerated and conducted by an outside, highly qualified firm to lend further credence to the eventual findings and conclusions. Previous studies of this sort were in-house efforts, Mr. Harf noted, and while the previous findings and recommendations were well received by the Board, the present set of circumstances appeared to warrant the use of a consultant.

Commissioner Ross asked if the study is being done because the salaries are too high/low. Mr. Harf observed that there isn't a presupposition about what the outcome will be by either management or the consultant. Continuing, Mr. Harf explained that it's appropriate to reassess whether or not the classifications of the positions are properly pegged in relation to the market place since PRTC/VRE are constantly recruiting for replacement personnel. Mr. Harf also noted that both upward and downward adjustments are plausible, but he went on to say that adjustments in the downward direction are not commonplace. There was no further discussion on the motion. (CADDIGAN\JENKINS, UNANIMOUS)

11. CHAIRMAN'S TIME

RES 13-03-07 A. Expression of Appreciation to John Grzejka.
[PRTC]

At this time, Vice Chairman Jones asked Commissioner Way to read into the record the resolution which expresses the Commission's appreciation for the services and contributions on the occasion of the retirement of the City of Manassas Commissioner of Revenue John Grzejka. After reading the resolution, Commissioner Way moved, with a second by Commissioner Caddigan, to express appreciation for John Grzejka's service and contributions and wishes him (and his family) a happy and healthy retirement. There was no discussion on the motion. (WAY\CADDIGAN, UNANIMOUS)

[Commissioner Covington and Commissioner Miller arrived at 7:20 p.m. and 7:22 p.m., respectively, and was absent for the vote on Items 7, 8, 9 (9A-9B), 10-C, and 11-A]

[PRTC\Info] B. Expression of Appreciation to Eric Marx.

Vice Chairman Jones recognized PRTC's Director of Planning and Operations Eric Marx for 20 years of service with PRTC and presented Mr. Marx with a certificate and token of appreciation.

12. EXECUTIVE DIRECTOR'S TIME

[PRTC] A. Executive Director's Report.

Mr. Harf noted that an information report detailing the outcome of the legislative session is located elsewhere in the board kit and highlighted three bills of importance to PRTC:

- HB 2313 -- Transportation Funding Bill containing statewide and regional components. Mr. Harf began with a summary of the statewide component, noting that it is expected to yield about \$880 million/year by 2018, ramping up to that level over time. The bill is funded by six sources of funds: 1) a new 3.5% wholesale gas tax that will substitute for the current 17.5 cent gas tax ; 2) a lowering of the discount that currently exists for motor vehicle sales so the discount is limited to 1% (meaning that if you buy a vehicle in Virginia beginning in July, you will pay 4.3% sales tax instead of 5.3% sales tax); 3) an increase in the statewide sales tax from 5.0% to 5.3% (with 40% of the revenue resulting from this increase being designated for intercity rail and transit); 4) an increased fee for alternative fuel vehicles -- doubling it from \$50 to \$100; 5) an increase in the percentage of the existing statewide sales tax dedicated to transportation purposes from a half percent up to 0.675% by 2018, which will occur in increments; and 6) designation of a portion of the revenues Virginia stands to realize if the Congress enacted an internet sales tax (i.e. referred to as the Market Place Equity Act; MPEA).

Mr. Harf went on to say that if Congress doesn't enact the MPEA, HB 2313 provides for a further, 1.6% increase in the wholesale gas tax, raising it from 3.5% to 5.1%. Finally, Mr. Harf noted that the bill also provides for the first \$300 million of the funds designated for the "Highway Maintenance and Operating Fund" to be used for the Metrorail "silver line" project (Phase II of the MetroRail extension to Dulles Airport), thereby lessening the dependency on tolls to pay for that project.

Continuing, Mr. Harf summarized the regional component of HB 2313, observing that it has both Northern Virginia and the Hampton Roads elements. He explained that the regional component is funded by three sources. First, an additional 0.7% increase in the sales tax, which would increase the sales tax in Northern Virginia and Hampton Roads from 5.3% (which is the

statewide rate by virtue of HB 2313) to 6%. The second source is a 3% transient occupancy tax (hotel tax), and the third source is a 25 cent per \$100 grantor's tax.

Turning to the uses of the "regional component" funds in Northern Virginia, Mr. Harf explained that there are two parts. Seventy percent is designated for transit and road projects that the Northern Virginia Transportation Authority (NVTA) will select, guided by statutory direction about types of projects that qualify (i.e. they must increase capacity or ease congestion). The other thirty percent is designated for the NVTA member jurisdictions to be used for transportation purposes of their own choosing, provided that the jurisdictions either raise their commercial and industrial tax to the allowable maximum or set aside an equivalent amount of revenue designated explicitly for transportation investment. Jurisdictions that don't meet this proviso forfeit all or a portion of their shares.

Mr. Harf noted that Commissioner Nohe (NVTA Chairman) will preside over a meeting to be held by the NVTA member jurisdictions on March 8th at the Northern Virginia Regional Commission (NVRC) offices to discuss HB 2313 and next steps for the region as well as discussion about technical amendments to the legislation that the NVTA might seek, before the Governor acts.

- SB 1140 -- Transit Funding Allocation Bill. Mr. Harf noted that this bill was (is) an outgrowth of the SJR-297 study that VDRPT led. He reminded the Commission that the SJR-297 Study examined the question of whether existing transit funds should be distributed in a different manner, and went on to say that VDRPT concluded that they should – a conclusion that PRTC and others faulted. Mr. Harf explained that while the original version of SB 1140 (sponsored by Senator Petersen) envisioned the redistribution of existing funds as VDRPT proposed, but ended up being amended so existing funds are distributed as they are today and new funds as promised by HB 2313 distributed in a different fashion. SB 1140 does not prescribe how new funds will be distributed, Mr. Harf noted, opting instead to call for VDRPT -- in conjunction with a newly formed "Transit Service Advisory Committee (TSAC) -- to develop a set of proposed performance measures for that purpose. The bill also calls for a formal public review process for the proposed performance measures before they're enacted, and a review of the prospective measures by pertinent legislative committees as well.

Continuing, Mr. Harf explained that the dividing line in the bill is defined as \$160 million which equates roughly to the amount of existing money for transit operating and capital assistance, so the new performance measures will apply to only funds resulting from HB 2313 expressly for transit operating purposes. With regard to TSAC appointments, Mr. Harf explained that there will be eight all-told – three appointed by VDRPT, two by the Virginia Transit Association (VTA), and one each by VML, VACO, and the Community Transit Association (CTA).

Mr. Harf noted that SB 1140 also sanctions a practice that VDRPT has been using in recent years to differentiate between types of capital projects, such that the state participation rate varies depending on the importance of the project as VDRPT perceives it. VDRPT has been able to differentiate in this fashion to date only because it has had access to bond funding, whereas SB 1140 authorizes the same practice for all capital funding appropriated to VDRPT for disbursement. Mr. Harf went on to say that SB 1140 directs VDRPT to also consult with the TSAC on prospective participation rates.

Mr. Harf concluded his remarks about SB 1140 by noting that VDRPT has important decisions to make about the timing of the release of the new funds, balancing the eagerness on the one hand to see the new funds awarded quickly they can be put to good use, and the downside risk of

awarding the funds too quickly, such that the new money simply lessens local jurisdictional appropriations for transit rather than increasing transit investment overall. Mr. Harf went on to say that this would surely be a topic of further discussion with the TSAC.

Commissioner Pittard noted that revenues will start to come in on July 1st and that VDRPT doesn't want to sit on the funds for a whole year, so it is eager to see decisions as required to be made by VDRPT in consultation with the TSAC as soon as possible. At the same time, there is a likelihood of FY 2014 funds being awarded in increments because it will take some time for decisions as required to be made.

- HB 2152 -- voting rights bill sponsored by Delegate Anderson. Mr. Harf noted that the bill has an enactment date of July 2014, affording time for the changes it envisions to the state's voting prerogatives/weights and voting privileges on both the VRE Operations Board and the PRTC Board to be made. Mr. Harf explained that HB 2152 will necessitate changes to the "governance" agreements that apply to both VRE (Bylaws and Master Agreement) and PRTC (Bylaws). The changes pertaining to the VRE are more consequential – they call for the state to command as much weight in a contested voting situation as the weight of the largest contributing local member jurisdiction, so long as the state's financial contribution that year is as great as the largest contributing local member jurisdiction.

Concluding, Mr. Harf explained that the changes to the voting practices of the PRTC Board are more nuanced. Presently for an action to be affirmed by the PRTC Board, there are two "tests" that have to be met -- a majority of the board members present and a majority of the member jurisdictions must be of the same mind. Once HB 2152 becomes effective in July 2014, the requirement that a majority of the member jurisdictions be of the same mind disappears such that an action becomes solely dependent on a majority of the members present being of the same mind. Mr. Harf noted that the motivation for this change is to have the state's vote count in exactly the same fashion as anybody else's at the table.

Commissioner Pittard asked if the changes to the state's voting prerogatives/weights and voting privileges on both the VRE Operations Board and the PRTC Board also means that the Delegates and Senators will have a vote. Mr. Harf replied that HB 2152 does not change that, noting that their votes are currently counted just as all others are for the purpose of tallying whether a majority of members present are of the same mind. All that HB 2152 changes as it pertains to PRTC voting is to eliminate the "jurisdictional majority" requirement.

Commissioner Ross asked for further clarification of the weighting change pertaining to the state's vote, and whether the change means that the state's voting weight become equal to Prince William's (the largest local jurisdictional contributor to both VRE and PRTC). Mr. Harf replied that the "weighting" change pertains to the VRE Operations Board only. Commissioner Ross also asked whether Delegate Anderson's and Delegate Miller's votes would be affected by HB 2152 with regard to the VRE Operations Board, to which Mr. Harf replied that there are no legislative appointees on the VRE Operations Board.

Commissioner Ross also asked if this is similar to the discussion that took place at FAMPO about unelected people being able to vote. Mr. Harf replied that there are loose parallels, and he clarified that only elected officials are permitted to serve as board members on the VRE Operations Board, with the exception of the state appointee. With regard to the PRTC Board, a non-elected person can be appointed as an alternate board member so long as that person is appointed by the member jurisdiction's governing body.

Commissioner Miller noted that he voted with the entire democratic caucus against HB 2152.

Moving to another subject, Mr. Harf reported that Metro is in the concluding stages of a procurement for a successor fare payment card (termed the “New Electronic Payment Program” or NEPP) to the SmarTrip card, which will allow people to buy riding privileges using a variety of payment media (e.g. debit cards, credit cards, store purchase cards). Mr. Harf noted that PRTC is working closely with Metro to ensure that all of the ramifications of the NEPP card have been carefully thought through. PRTC is particularly sensitive, because it’s on the periphery of the region where densities are lower and fewer people are within walking distance of business establishments that will be selling the new cards, since there’s a sizable incidence of people who live in the area who don’t have credit cards or a banking institution relationship which is to say they’re still cash-reliant for their purchases. Mr. Harf went on to say that the procurement has a long implementation period, meaning that the NEPP card and the SmarTrip card will co-exist with each other for a number of years.

Since this will be a massive expense, Commissioner Durany asked if PRTC has budgeted for this project. Mr. Harf explained that costs are not yet known but whatever they might be, they won’t be anytime soon since each of the region’s providers will have a few years’ “window” to decide when to opt in.

Vice Chairman Jones added that the card business itself is changing as well as the form factor in the media. The whole migration to the NEPP card will allow, for instance, people who carry Federal ID cards to use their Federal ID card instead of having to buy cards to fund transit. It’s not only in the capitol region that the standard is being set, but a standard that will cross the entire nation. Vice Chairman Jones noted that a “prototype” test is currently being conducted in four or five locations around the country and that a card form factor is going to be a weigh point, which at some point will migrate to smartphones that will probably be the media of choice.

[PRTC\Info]

Presentations:

1. 40-Foot Low-Floor Bus – Customer Seating and Lighting Concerns.

Mr. Harf reminded the Commission that two customers spoke during “Citizens’ Time” at the February 14th meeting to express their concerns about the fact that the new transit buses PRTC acquired have a different seat type and don’t have overhead lighting. Staff responded to their concerns during the course of meeting, but VDRPT Director Drake thought that a follow up presentation to clarify the situation more fully would be apt. At this time, Mr. Harf gave a briefing on the “40-Foot Low-Floor Bus -- Customer Seating & Lighting Concerns.” A question/answer session followed -- there were no questions.

2. Comparison of FY 2012/FY 2013/FY 2014 Budgets.

Mr. Harf reminded the Commission that at the February 14th meeting, VDRPT Director Drake asked how the proposed FY 2014 budget compares with the FY 2013 and FY 2012 budget. Since staff wasn’t in the position at that time to answer Director Drake’s question fully, a briefing on the subject is being provided this evening. At this time, Mr. Harf gave a briefing on the “FY 2012/FY 2013/FY 2014 Budget Comparison”. A question/answer session followed -- there were no questions.

3. Status Report on FY 2012 Audit Corrective Action Plan.

Mr. Harf gave a briefing about the corrective action plan that was presented in conjunction with the FY 2012 audit, noting that progress has been as anticipated on two of the four efforts while there has been some slippage on the other two for reasons summarized in the briefing. He reminded the Commission that the corrective action plan was conceived in response to the four “material weakness” findings identified by PRTC’s external auditor in conjunction with the completed FY 2012 audit, all of which were presented to the Commission in January and February. The corrective action plan has particular milestones associated with it including particular timelines, and the question posed by Director Drake was (is) how PRTC is faring in relation to the corrective action plan.

The ensuing discussion focused principally on one of the two efforts where there has been schedule slippage, namely state grant billings. A companion spread sheet distributed by Mr. Harf showed some \$606,000 of expenditures that can be billed against state grants that have not been billed as yet, prompting Commissioner Principi to ask what that amounts to as a percentage of the overall state grants PRTC has received. Referring to the spread sheet, Mr. Harf replied that the active state grants (aka grants received) have a remaining total balance of \$14.98 million, so the amount awaiting billing is about 4% of the total. Mr. Harf went on to say that not all of the \$14.98 million of awarded state grant funding is billable at this time, however, since the state grants are reimbursable and therefore billings have to post-date the expenditures. Elaborating, Mr. Harf said many of the grants are relatively new, without any expenditures as yet.

With regard to “grant billing” comments appearing on the spread sheet, Commissioner Covington asked Mr. Harf to clarify what is meant by the comment “reimbursement request for expenditures through 11/30/12 in process.” Mr. Harf replied that this means the documentation that needs to accompany the reimbursement request has been assembled and is in the midst of an internal quality assurance check to ensure that it is fully supported before it is sent.

Commissioner Way asked if the “material weakness” findings stemming from the completed audit are a consequence of timeliness problems arising from the start up of a new financial system, not findings evidencing a misuse or forfeiture of funds. Mr. Harf replied affirmatively.

The discussion then shifted to a second spread sheet Mr. Harf distributed showing what is termed “open not yet awarded grants.” Mr. Harf explained that the grants appearing on this spread sheet totaling \$1.6 million are grants that VDRPT intends to award to PRTC but has not as yet, because VDRPT has a policy of not awarding matching funds for a federal grant until the federal grant is awarded. Continuing, Mr. Harf explained that when PRTC receives the federal grant, it informs VDRPT, after which the matching funds for that grant are awarded. Mr. Harf went on to observe that some expenditures have already been incurred against both the awaited federal grants and the matching state funds, because that’s allowable under a federal grant provision called “pre-award authority.” Pre-award authority enables a grantee to incur costs before the grant is awarded and reimburse itself once the grant is awarded, which PRTC and other grantees do selectively for project investments that are time-sensitive and can’t wait until the grant is awarded. Again referring to the “open not yet awarded grants” spread sheet, Mr. Harf noted that the already incurred expenditure against these grants totals \$424,819. Thus, the sum of expenses associated with state grants that has not been billed as yet is a little more than one million dollars -- \$606,000 associated with active grants and the rest associated with “open not yet awarded grants.”

Commissioner Pittard observed that the corrective plan timeline that PRTC set forth for grant billings was missed, and he went on to say it’s troubling that out of 68 grants, PRTC has 42 grants with a zero billing or over 60% of the grants. With regard to the “open not yet awarded

grants,” Commissioner Pittard said that VDRPT is simply adhering to its policy of not awarding the grant until the federal grant is awarded. Commissioner Pittard defended this policy, noting that VDRPT is held accountable for the grants it awards and needs to ensure that the grants it makes for matching purposes are made for federal funds that are in fact awarded. He went on to say that state grant funding sitting idle while awaiting federal grants pose a problem of a different sort for VDRPT, namely that such grants give rise to pressures to move the money to places where it can be put to good use more quickly. Finally, Commissioner Pittard noted that while he doesn’t see any imminent danger of PRTC losing grant funds, a problem of that sort could arise if the problem persists for too long.

Responding to Commissioner Pittard, Mr. Harf pointed out that some of the grants haven’t had any activity because the expenditures have not been incurred as yet. A prime example is the property acquisition for the Westerly Maintenance Facility. Mr. Harf noted that PRTC is about two months away to close on the Westerly Maintenance Facility property acquisition, which is a listed grant that PRTC hasn’t billed VDRPT for since no expense has been incurred as yet. Once the expense has been incurred, VDRPT will be billed for the entire amount immediately.

Mr. Harf reiterated that a corrective action/recovery plan is in place and, while not all of the plan milestones have been met, significant progress has been made “climbing out of a very significant hole” related to the implementation of a new financial management system, a “hole” that PRTC management has been very forthcoming about over the course of many months.

Commissioner Pittard acknowledged that progress is readily apparent based on the report he reviewed over the past several days as more grant billings occurred in December and January, but PRTC needs to remain vigilant with regard to the grant billing. Vice Chairman Jones noted that PRTC expects to be caught up in the April/May timeframe.

With regard to the federal grants, Vice Chairman Jones asked how many grants PRTC has applied for that the feds have not awarded as yet. Mr. Harf replied that there are several, which are stacked up in a queue awaiting FTA’s authorization to formally submit. Mr. Harf went on to summarize the FTA grant application/grant making practice, noting that it involves a succession of steps, beginning with an FTA regional office review of the grant application as first posted to the FTA web-site. That review prompts an exchange of questions and answers which, once FTA is fully satisfied, leads to an FTA assent to the formal submission of the application. Once that happens, the Department of Labor (DOL) has a 60-day review process of its own to allow labor unions to comment on the application, leading to a DOL certification that is a prerequisite for FTA to award the grant.

Mr. Harf went on to say that the FTA regional office staffing limitations are such that grant applications remain in the queue awaiting the first FTA assent for months. Vice Chairman Jones asked if the majority of PRTC’s grants are currently in that process. Mr. Harf replied “yes,” and noted that every federal grant that PRTC has not yet received is in that queue.

Vice Chairman Jones asked whether it would be possible for the state to consider a change to its policy regarding “open not yet awarded grants,” whereby those state grants against which expenditures have already been incurred on a “pre-award authority” basis could be awarded before the federal grants are awarded. Commissioner Pittard replied that the problem appears to be a consequence in part of PRTC delaying the start of the federal grant application process, giving rise to the queue described by Mr. Harf.

Characterizing this as “the new normal,” Mr. Harf used the FY 2013 situation as a case in point, noting that half of FY 2013 is over and the Congress has not yet appropriated a full year’s funding. That is expected to happen sometime soon (since the CR expires on March 27th), after which FTA will have to do all its calculations preparatory to the publication of an apportionment notice that, barring any further complications, might be forthcoming in late spring. The apportionment notice, in turn, shows what FTA funding the Washington, D.C. metropolitan area is to receive in the aggregate, setting the stage for all the grant recipients in the region to do calculations of their own to reach a consensus on how the regional pot is to be subdivided. The consensus takes the form of a “split letter” that has to be signed by all the grant recipients and sent to FTA, as a prerequisite for anyone to apply for anything. Stated more simply, Mr. Harf said the timing of the submission of federal grant applications is largely a consequence of forces over which PRTC and other applicants have no control.

Commissioner Pittard noted that he will take the Commission's suggestion to VDRPT for consideration, but noted that VDRPT needs the certainty of the matching funds actually matching federal grants as the guiding principal. VDRPT is contractually bound by its governing board to ensure that before VDRPT can release the state funding.

RES 13-03-08
[PRTC]

1. FTA Certifications and Assurances.

RES 13-03-09 [PRTC]	2. Potomac Health Foundation (PHF) Transportation Voucher Program – Prospective Continuation Grant.
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Commissioner Nohe moved, with a second by Commissioner Caddigan, to authorize the Executive Director to apply for a continuation grant if the Potomac Health Foundation invites the Commission to do so.

Commissioner Way asked if this is a one-year agreement. Mr. Harf replied “yes,” and explained that the first grant PRTC received totals \$362,673. Continuing, Mr. Harf explained that the grantor anticipated that PRTC would spend the first few months with procurements, arranging the bank financing, and getting all of the materials together to launch the program. Even though the grant has a one year duration, the first half of the year was consumed by these preparatory activities, meaning the program itself was not operating. He said the grantor understood this would happen and informed PRTC at the time of the initial grant award that it was eager to see a year’s worth of actual program activity, indicating that the “vehicle” for allowing that would be a continuation grant in which PRTC could seek more time and more funding to sustain the program. Mr. Harf noted that the program was launched on February 22nd. There are four more months remaining in the fiscal year for the program activity and the continuation grant that the Commission is being asked to apply for would allow PRTC to sustain the program for 16 months all told, extending to June 2014.

Commissioner Way asked if the Transportation Voucher Program remains fully funded by the Potomac Health Foundation. Mr. Harf replied “yes.”

Commissioner Principi asked that if PRTC has funding for 16 months does it mean that there won’t be a second continuation to PRTC for the full 24 months. Mr. Harf replied that the 16 month duration would be as long as the Foundation would sustain the program funded by its resources at a maximum, since it was his understanding that there can be only one continuation grant at most. Continuing, Commissioner Principi asked whether PRTC is hiring full-time staff for the project. Mr. Harf replied that PRTC is not hiring staff, opting instead to contract for program management given the limited duration of the program. Commissioner Principi also asked if the contract manager will approve the applications for the assistance. Mr. Harf replied “yes.” There was no further discussion on the motion. (NOHE\CADDIGAN, UNANIMOUS)

RES 13-03-10 3. Procure Bus Radio System Replacement Components.
[PRTC]

Commissioner Caddigan moved, with a second by Commissioner Nohe, to authorize the Executive Director to procure bus radio system replacement components amounting to not more than \$76,768, which includes a 5% contingency allowance. There was no discussion on the motion. (CADDIGAN\NOHE, UNANIMOUS)

RES 13-03-11 4. Convene into Closed Meeting.
[PRTC]

Commissioner Thomas moved, with a second by Commissioner Principi, to convene into Closed Meeting at 7:40 p.m. for consultation with legal counsel and staff and discussion of the award of a public contract, including its terms and scope, where discussion in open session would adversely affect the bargaining position or negotiating strategy of the Commission pursuant to Section 2.2-3711.A.7 (legal) and 2.2-3711.A.29 (award of public contract under certain circumstances) Virginia Code Ann. There was no discussion on the motion. (THOMAS\PRINCIPI, UNANIMOUS)

RES 13-03-12 5. Certification of Closed Meeting.
[PRTC]

Commissioner Thomas moved, with a second by Commissioner Principi, to certify Closed Meeting at 9:05 p.m. There was no discussion on the motion. (THOMAS\PRINCIPI, UNANIMOUS)

[PRTC] 6. Items Reported Out of Closed Meeting.

Vice Chairman Jones noted that there's nothing to report out of Closed Meeting.

C. Information Items:

1. General Assembly Outcome. There were no comments.
2. MAP-21 Performance-Based Planning. There were no comments.
3. PRTC Service Performance Reports. There were no comments.
4. Communications:
 - a. Related to Funding. There were no comments.
 - b. Related to Jurisdiction. There were no comments.
 - c. General Interest. There were no comments.
5. Transportation Trends in the DC Metro Area – TTI Report. There were no comments.
6. What Do People Think About Congestion Pricing? There were no comments.

13. OTHER BUSINESS/COMMISSIONERS' TIME

Commissioner Caddigan wished everyone a happy St. Patrick's Day.

14. ADJOURNMENT

There being no further business to come before the Commission, Vice Chairman Jones adjourned the meeting at 9:10 p.m.

NEXT MEETING: Thursday, April 4, 2013, 7:00 p.m.

LOCATION: PRTC Transit Center
14700 Potomac Mills Road, 2nd Floor
Woodbridge, VA 22192-6811
Main # (703) 583-7782
Fax #: (703) 583-1377
www.PRTCtransit.org

ITEM #10A



TO: Mayor Greenlaw and Members of City Council
FROM: Erik Nelson, Senior Planner
DATE: April 23, 2013
SUBJECT: Placement of a memorial plaque within the City right-of-way along Cowan Boulevard

ISSUE

The Sons of Confederate Veterans (SCV) would like to place a memorial plaque within the City right-of-way, where Cowan Boulevard crosses Smith Run.

RECOMMENDATION

That the City Council adopt a Resolution allowing the SCV to submit a request for the City's Memorials Advisory Commission to review plans for a marker to be placed on City property. The Memorials Advisory Commission would then make its recommendation to City Council on the proposal pursuant to City Code §10-292.

BACKGROUND

The Smith Run valley was a battleground on May 4, 1863, during the Chancellorsville campaign. Exceptionally hard fighting occurred where Cowan Boulevard crosses Smith Run. The City owns an 11-acre parcel in the area, which was acquired through a partnership of the Commonwealth, the City, and the Central Virginia Battlefields Trust. When a new road between Route 3 and Cowan Boulevard is constructed and provides vehicular access to that land, the property will be able to be developed into a park. In the meantime, it is accessible via a foot path that extends from the vicinity of Hugh Mercer School to Cowan Boulevard.

The SCV would like to place a memorial plaque, during this sesquicentennial year, along the multi-use path that is part of Cowan Boulevard. The proposed location is along the asphalt trail on the south side of the roadway, between the existing metal bench and the wooden foot bridge that connects to the Smith Run Trail. The memorial plaque would be dedicated in memory of the 854 Confederate Soldiers from Major General Early's division who were killed and wounded in the defense of Fredericksburg at Smith Run.

The proposed plaque would be secured to a stone panel and mounted on a stone base 2 feet in height, with what is called a steel finish. The plaque itself would be made of bronze, with dimensions of 2'10" by 2'4".

FISCAL IMPACT

None

Attachments:

Resolution

Marker text and graphics (draft)

Photos of proposed location



MOTION:

**April 23, 2013
Regular Meeting
Resolution No. 13-**

SECOND:

**RE: AUTHORIZING THE SONS OF CONFEDERATE VETERANS TO SEEK
THE MEMORIAL ADVISORY COMMISSION'S CONSIDERATION OF
A MEMORIAL PLAQUE TO BE PLACED WITHIN THE CITY RIGHT-
OF-WAY ALONG COWAN BOULEVARD NEAR THE SMITH RUN
TRAIL**

ACTION:

WHEREAS, Cowan Boulevard courses through a battlefield that saw heavy fighting on May 4, 1863, during the Chancellorsville Campaign; and

WHEREAS, the area where Cowan Boulevard crosses Smith Run was the scene of intense conflict that day; and

WHEREAS, the Sons of Confederate Veterans (SCV) would like to place a memorial plaque adjacent to the Cowan Boulevard trail, where Cowan Boulevard crosses Smith Run; and

WHEREAS, the proposed memorial plaque location is within the City's right-of-way;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Fredericksburg, Virginia does hereby authorize the SCV to apply to the Memorials Advisory Commission for consideration of a proposed memorial plaque to be placed along Cowan Boulevard, and for its recommendation to City Council pursuant to City Code §10-292.

Votes:

Ayes:

Nays:

Absent from Vote:

Absent from Meeting:

* * * * *

Clerk's Certificate

I, the undersigned, certify that I am Clerk of Council of the City of Fredericksburg, Virginia, and that the foregoing is a true copy of Resolution No. 13- duly adopted at a meeting of the City Council held _____, 2013 at which a quorum was present and voted.

***Tonya B. Lacey, CMC
Clerk of Council***

THE HEIGHTS AT SMITH RUN

MAY 4, 1863



AS FIGHTING RAGED AT CHANCELLORSVILLE, CONFEDERATE MAJOR GENERAL JUBAL A. EARLY'S DIVISION CONFRONTED THE UNION SIXTH CORPS AT FREDERICKSBURG. ON THE MORNING OF MAY 4TH, EARLY PROBED THE UNION LINE WITH BRIGADIER GENERAL WILLIAM "EXTRA BILLY" SMITH'S BRIGADE. LATER THAT AFTERNOON, EARLY LAUNCHED HIS OTHER THREE BRIGADES AGAINST THE UNION FORCE. BRIGADIER GENERALS ROBERT F. HOKE AND HARRY T. HAYS LED THEIR BRIGADES ACROSS THE TERRAIN TO YOUR FRONT. THEY SWEEPED THE FEDERALS FROM THE RIDGE ON THE LEFT, BUT RAN UP AGAINST THE WELL POSITIONED VERMONT BRIGADE, LED BY COLONEL LEWIS A. GRANT. ON THE RIDGE TO THE RIGHT, THE FIGHTING BECAME SEVERE AND CASUALTIES MOUNTED. THE VERMONT MEN HELD AND EVEN COUNTERATTACKED, BUT BRIGADIER GENERAL JOHN B. GORDON'S BRIGADE MOVED BEHIND THE RIDGE TO THE LEFT, TOWARD FALL HILL AND OUTFLANKED THE FEDERAL LINE, FORCING THEM TO RETREAT FROM THIS AREA. THAT NIGHT AND INTO THE EARLY MORNING HOURS OF MAY 5TH THE UNION SIXTH CORPS RE-CROSSED THE RAPPAHANNOCK RIVER. UNION MAJOR GENERAL JOHN SEGWICK ESTIMATED THAT THE SIXTH CORPS LOSSES FROM APRIL 29TH THROUGH MAY 5TH WERE 4,935 KILLED, WOUNDED AND MISSING.

EARLY'S DIVISION SECOND CORPS



MAJOR GENERAL
JUBAL ANDERSON EARLY

THIS MONUMENT IS DEDICATED IN MEMORY OF THE 854 CONFEDERATE SOLDIERS FROM MAJOR GENERAL EARLY'S DIVISION WHO WERE KILLED AND WOUNDED IN THE DEFENSE OF FREDERICKSBURG AT SMITH RUN, MAY 4, 1863.

LIST OF KILLED AND WOUNDED AS REPORTED BY SURG. L. GUILD, C. S. ARMY, MEDICAL DIRECTOR
(CAMPAIGN OF CHANCELLORSVILLE)

SMITH'S BRIGADE



BRIG. GEN. WILLIAM SMITH
"EXTRA BILLY"

13TH VIRGINIA 35
48TH VIRGINIA 10
52ND VIRGINIA 12
58TH VIRGINIA 28

HOKE'S BRIGADE



BRIG. GEN. ROBERT F. HOKE

BRIG. GEN. R. HOKE, WOUNDED 1
6TH NORTH CAROLINA 29
21ST NORTH CAROLINA 78
54TH NORTH CAROLINA 41
57TH NORTH CAROLINA 79
1ST NORTH CAROLINA BATTALION 11

HAYS' BRIGADE



BRIG. GEN. HARRY T. HAYS

5TH LOUISIANA 53
6TH LOUISIANA 81
7TH LOUISIANA 50
8TH LOUISIANA 83
9TH LOUISIANA 72

GORDON'S BRIGADE

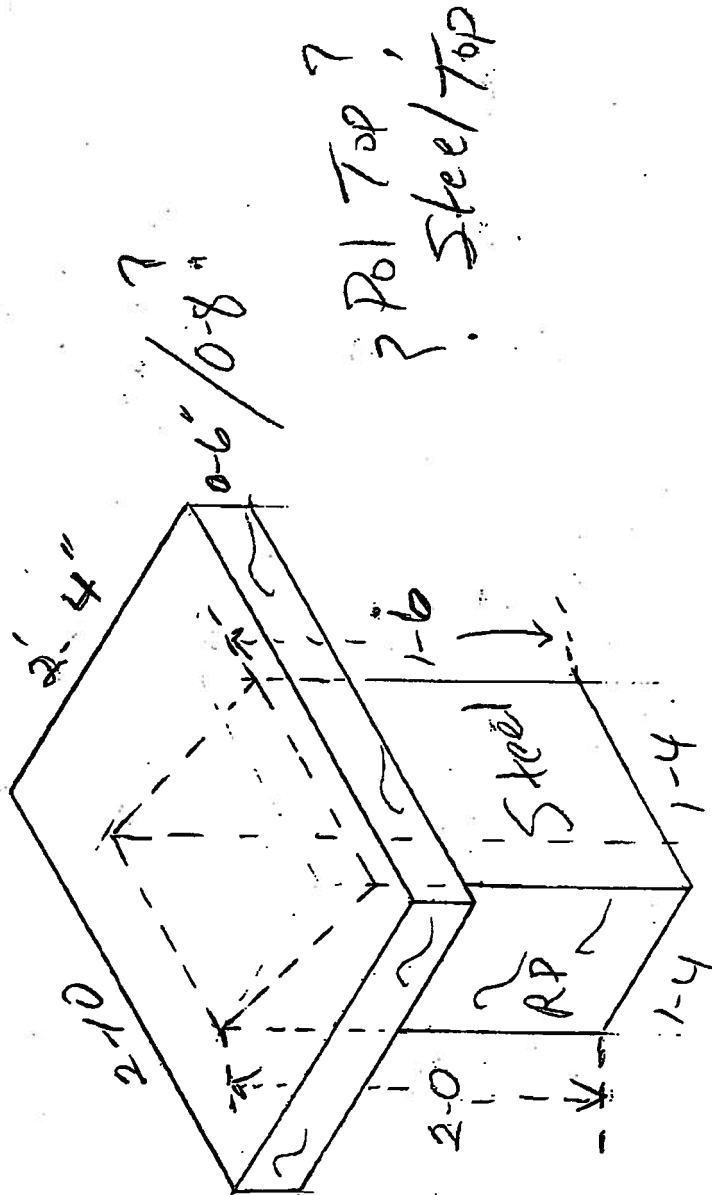


BRIG. GEN. JOHN BROWN GORDON

CAPT. J. MITCHELL, A.G., WOUNDED 1
13TH GEORGIA 30
26TH GEORGIA 24
31ST GEORGIA 23
38TH GEORGIA 20
60TH GEORGIA 35
61ST GEORGIA 28

540-

374-1329



? Pol Top ?
Steel Top

\$650 \$700

Plus
Tugboat









MEMORANDUM

TO: Kathleen Dooley, City Attorney

FROM: Rob Eckstrom, Assistant City Attorney

DATE: April 16, 2013

RE: Gordon Yarboro easement relocation

ISSUE:

Shall City Council authorize the City Attorney to negotiate the relocation of a right-of-way easement that the City holds in Spotsylvania County over the land of Gordon Yarboro?

RECOMMENDATION:

Yes. This easement provides access to Motts Run Reservoir. Currently, the easement is obstructed by Mr. Yarboro's residence. Relocation of the easement will be the fastest, most cost-effective method of regaining unobstructed access to Motts Run.

BACKGROUND:

The City owns an easement across Mr. Yarboro's property for access to Mott's Run Reservoir, which serves as the City's public drinking water supply. Mr. Yarboro, apparently unaware of the City's easement, built his home within the easement. (See attached plat.)

In the late 1990's, the City asked Mr. Yarboro to either remove the obstruction or assist the City in obtaining a relocated easement. It is unclear why, but the parties were unable to come to an agreement at the time. The City sued for removal of the obstruction, won, and obtained a 2002 court order enjoining Mr. Yarboro from obstructing the easement. The home has not been removed from the easement. The court order required neighboring property owners to remove a well from the City's easement. It may be possible to bring those owners into the negotiations and to resolve that matter at the same time.

ITEM #10B

Mr. Yarboro recently approached city staff and requested that the City agree to relocate the easement. Staff, including the City Watershed Manager, Public Works, and City Attorney's Office have visited Mr. Yarboro's property and have identified a suitable path for relocation of the easement (the gravel road depicted on the attached plat) which is amenable to Mr. Yarboro.

If Council wishes to consider relocation of the easement, the City Attorney will propose that Mr. Yarboro prepare a Deed (with survey) dedicating the new easement to the City and legal documents vacating the existing easement. Staff will review the documents and submit them for Council approval.

FISCAL IMPACT:

Minimal staff time will be required. Mr. Yarboro will be responsible for drafting all of the legal documents. The alternative for regaining access to Motts Run would be to remove the obstruction from the existing easement. This would be accomplished through legal proceedings in Spotsylvania County and demolition of Mr. Yarboro's home. This would require considerable staff time and expense.



MOTION:

**April 23, 2013
Regular Meeting
Resolution No. 13-**

SECOND:

**RE: AUTHORIZING THE CITY ATTORNEY TO NEGOTIATE THE RELOCATION
OF A CITY-OWNED RIGHT-OF-WAY EASEMENT OVER THE LAND OF
GORDON YARBORO IN SPOTSYLVANIA COUNTY**

ACTION:

DATE OF ADOPTION: _____

WHEREAS, the City owns a right-of-way easement over a parcel of land in Spotsylvania County owned by Gordon Yarboro, which is used to access Motts Run Reservoir; and

WHEREAS, the residence of Mr. Yarboro encroaches upon the City's easement; and

WHEREAS, Mr. Yarboro has requested that the City relocate its easement rather than require him to relocate his residence; and

WHEREAS, City staff has tentatively identified an acceptable alternate location for a right-of-way easement across the property; and

WHEREAS, the City Council wishes to authorize the City Attorney to negotiate relocation of the easement on behalf of the City of Fredericksburg.

NOW, THEREFORE, BE IT RESOLVED that the City of Fredericksburg Council authorizes the City Attorney to negotiate with Gordon Yarboro for relocation of the easement recorded in the Circuit Court Clerk of Spotsylvania County Deed Book 1407 at page 39, and to return with a proposal for Council consideration and approval.

This Resolution shall be effective immediately.

Votes:

Ayes:

Nays:

Absent from Vote:

Absent from Meeting:

Clerk's Certificate

I, the undersigned, certify that I am Clerk of Council of the City of Fredericksburg, Virginia, and that the foregoing is a true copy of Resolution No. 13- duly adopted at a meeting of the City Council meeting held _____ at which a quorum was present and voted.

Tonya B. Lacey
Clerk of Council

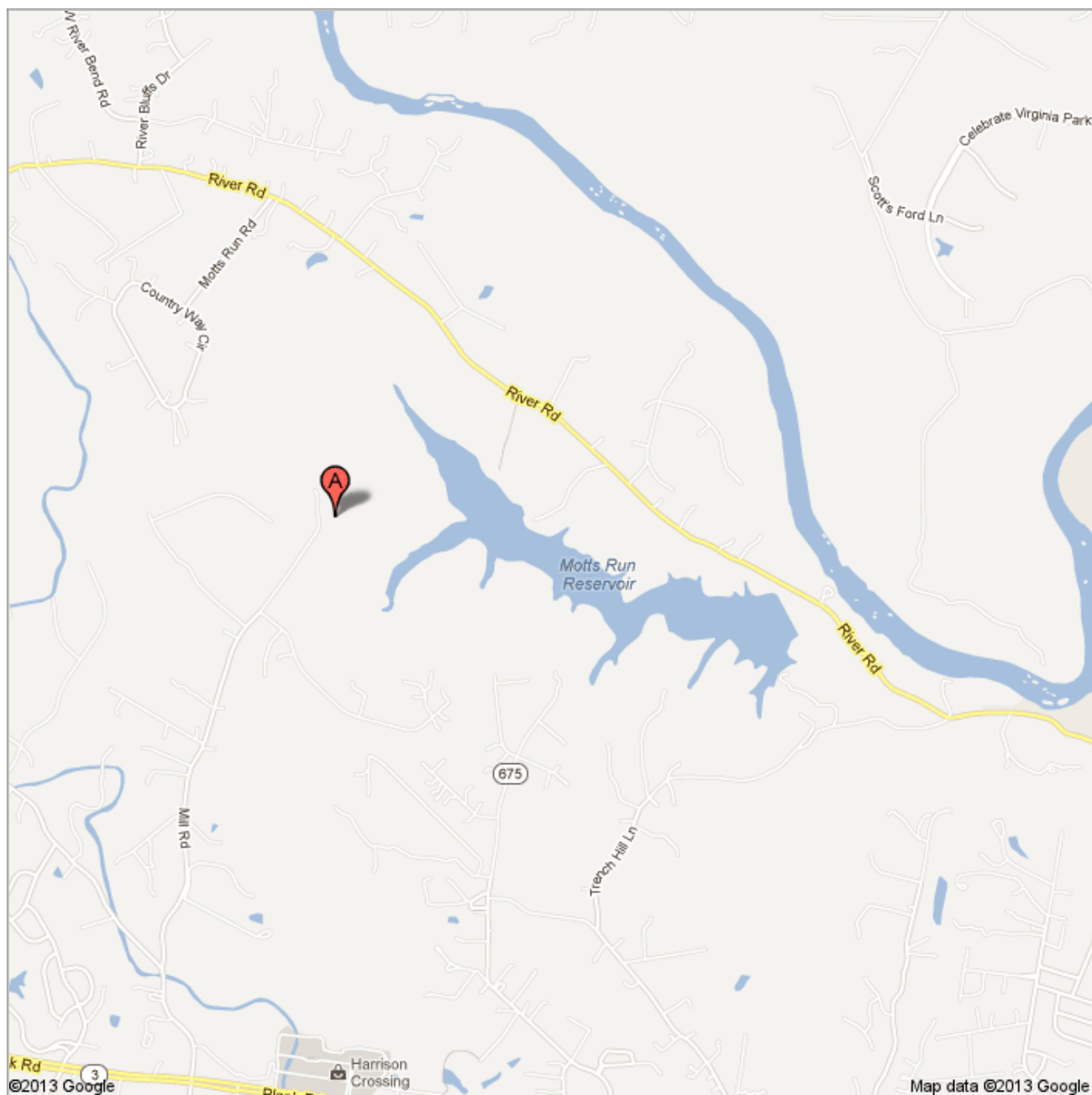


Address **13113 Mill Rd**
Fredericksburg, VA 22407

Get Google Maps on your phone



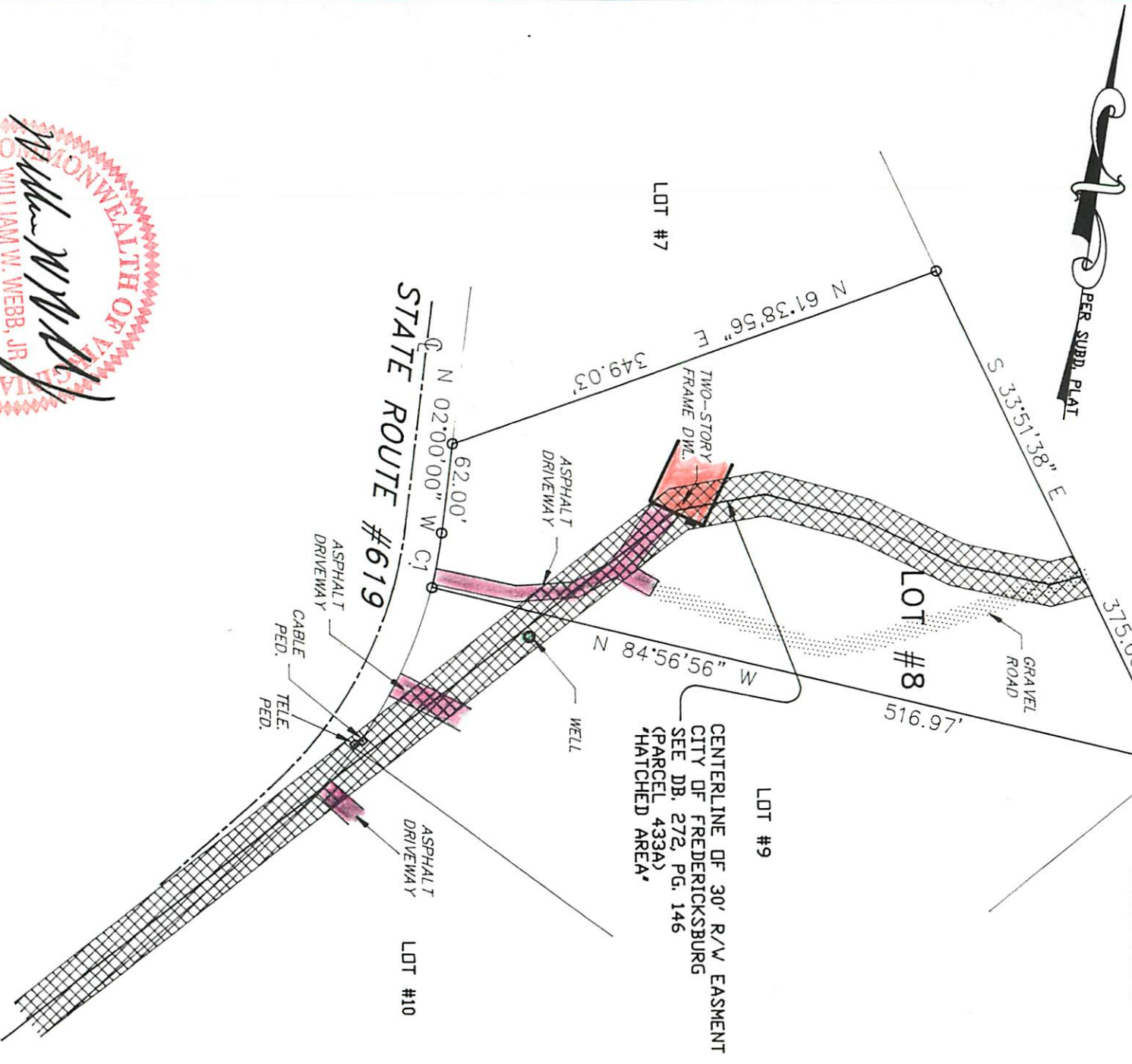
Text the word "GMAPS" to 466453



CURVE	RADIUS	LENGTH	TANGENT	CHORD	BEARING	DELTA
C1	310.51'	38.21'	19.13'	38.19'	N 01°31'32" E	07°03'04"

N/F
CITY OF FREDERICKSBURG
DB.242 PG.255

N/F
CITY OF FREDERICKSBURG
DB.253 PG.140



NOTES:

1. NO TITLE REPORT FURNISHED
2. EASEMENTS NOT SHOWN MAY EXIST
3. UNDERGROUND UTILITIES AND SUB-SURFACE FACILITIES NOT LOCATED
4. THIS SURVEY DOES NOT ADDRESS WETLANDS, TOXIC OR CONTAMINATED WASTE OR SOIL CONDITIONS NOR HAVE ANY REPORTS, STUDIES, ETC... BEEN FURNISHED TO THIS SURVEYOR OTHER THAN THOSE NOTED.

R/W EASEMENT
CITY OF FREDERICKSBURG
TURKEY RUN ESTATES
CHANCELLOR DISTRICT
SPOTSYLVANIA CO., VA.

SCALE 1" = 100'

JULY 15, 1997

WEBB AND ASSOCIATES
10729 TIDEWATER TRAIL
FREDERICKSBURG, VA. 22408



MEMORANDUM

TO: Beverly R. Cameron, City Manager
FROM: Mark Whitley, Assistant City Manager
Amanda Lickey, Budget Manager
RE: Water & Sewer Rate Increase
DATE: April 17, 2013

ISSUE

The City Council is asked to consider an ordinance that will amend the fees and charges relating to water and sewer service.

RECOMMENDATION

The item is on for first reading. Staff recommends approval.

BACKGROUND

The City of Fredericksburg has separate funds for Water and Wastewater activities. The City contracted with Municipal and Financial Services Group to conduct a combination operational study and rate study, which was completed in March 2012.

Bi-Monthly Service Rates

One of the key findings of the study was that the City needs to charge more for water and wastewater services, both to meet ongoing operational needs and to help begin re-building water and wastewater fund reserves for ongoing capital replacements. The study found that current rates are not sufficient to meet ongoing operational costs, and that both the water and wastewater funds will be drawing on cash reserves to make ends meet unless rates are raised.

In addition to the ongoing operating costs, the consultants also recommended re-building water and wastewater fund reserves for ongoing capital replacements. Although the City has conducted capital improvements in recent years, particularly for the wastewater treatment plant, major wastewater transmission lines, several wastewater pump stations, and sections of water line along Route 1, much of the system is aging and will require major capital investments over the next ten to twenty years for line replacements.

For FY 2014, the City has identified a water line project for the College Heights area. In addition, Spotsylvania County will be making upgrades and / or major repairs to capital projects at both the water and wastewater treatment plants, and the City will need to pay a share of these improvements as part of our shared service agreement with Spotsylvania County. The City will need to borrow funds during FY 2014 to pay for these necessary improvements, and the debt service will become part of the ongoing operating costs for the water and wastewater funds.

The consultants recommended using some ongoing cash reserves in both funds and phasing in the recommended rate increases over three years. The FY 2013 budget included the recommended rate increase for that year, which was 9.9% for water and 10.7% for wastewater. The attached ordinance represents the second year of the three-year phase in, with a water rate increase blended to raise revenue by 8% and a wastewater rate increase blended to raise revenue by 8.5%. In FY 2015, the consultant recommended raising the rates by a blended 8.4% for water and 6.8% for wastewater.

An additional feature of the water and sewer rate changes is a shift between charges for fixed meter fees and charges for consumption. The fixed meter fees represent a set minimum for service charged every cycle, regardless of consumption. The consumption fee is then added to the fixed fee to calculate the total bill. Before last year's changes, the City received 22% of water revenue and 15% of sewer revenue from the fixed fees, with the remainder coming from the consumption fees. Industry standards rely much more heavily on fixed fees, which are more stable in terms of revenues. The consultant recommended an eventual target for fixed fee revenue of 30%.

Water Rate Table

Here is a table with common meter sizes. The comprehensive listing is attached in the proposed ordinance.

Fixed Fee	Current	Proposed
5/8"	8.31	9.67
1"	21.64	25.17
2"	86.55	100.69
Consumption Fee		
Consumption per 1000 gallons	2.08	2.18

The fixed fee is added to the consumption fee to determine the bill. In this example, a residential 5/8" meter using 10,000 bi-monthly (or 5,000 gallons per month) would pay a water bill of \$31.47 – an increase of \$2.36 from the current rate. A commercial customer with a 2" meter

using 100,000 bi-monthly (or (50,000 gallons per month) would pay a water bill of \$318.69 – an increase of \$24.14 from the current rate.

Sewer Rate Table

Here is a table with common meter sizes. The comprehensive listing is attached in the proposed ordinance.

Fixed Fee	Current	Proposed
5/8"	11.76	14.76
1"	30.59	38.40
2"	122.31	153.56
Consumption Fee		
Consumption per 1000 gallons	4.23	4.42

The fixed fee is added to the consumption fee to determine the bill. In this example, a residential 5/8" meter using 10,000 bi-monthly (or 5,000 gallons per month) would pay a sewer bill of \$58.96 – an increase of \$4.90 from the current rate. A commercial customer with a 2" meter using 100,000 bi-monthly (or (50,000 gallons per month) would pay a sewer bill of \$595.56 – an increase of \$50.25 from the current rate.

Solid Waste Fees

The City provides refuse collection service to the majority of residential households. The attached ordinance proposes a fee increase of \$1.50 per month, or \$3.00 per bi-monthly bill, for normal volume and high density customers. The normal volume rate would increase from \$15.75 monthly to \$17.25 monthly, for a total bi-monthly bill of \$34.50. The high density customer rate would increase from \$12.60 monthly to 14.10 monthly, for a total bi-monthly bill per account of \$28.20. The proposed increase in solid waste fees is the first since FY 2009.

FISCAL IMPACT

The fiscal impact of the City's new rate structure will generate \$2,640,000 in water sales during FY 2014 and \$4,644,000 in sewer sales during FY 2014.

The current year is the second year of a three-year phased approach to restore financial stability to the water and sewer funds. The City will continue to seek opportunities to lower operating costs. In addition, major increases in water and sewer consumption, which would arise from large users, may mitigate future rate increases.

The solid waste fee increase is expected to generate an additional \$55,500 in the General Fund during FY 2014, for a total of \$780,000.



MOTION:

SECOND:

**April 23, 2013
Regular Meeting
Ordinance No. 13-**

**RE: AMENDING THE REFUSE COLLECTION, WATER AND SEWER
SERVICE FEES, RATES, AND CHARGES**

ACTION:

FIRST READ:

SECOND READ:

SEC. I. Introduction, purpose and authority.

The City Council engaged the services of Municipal and Financial Services Group to perform a study of the water and sewer fees and charges, including consumption charges, connection fees, and availability fees. This report was completed and presented to City Council in a public meeting on January 24, 2012. Public water and sewer facilities, processes, equipment and personnel costs are sustained by revenues from the fees generated by the system, not by general revenues. The conclusion of the study is that water and sewer fees and charges must be increased in order to cover current operating and capital costs, and that the structure for assessing connection and availability fees should be modified in the interests of administrative convenience, and fairness. Upon consideration of the study, the Council has determined that recommended fee increases and changes in fee structures are reasonable, fair, and equitable. The rate increases are recommended to be phased in over time and below represents the recommended amount for year two.

The City Council also provides refuse collection services to residential households within the City. The City Council wishes to increase the rates for this service to assist with covering the cost of the service. The City Council has not increased the rates since Fiscal Year 2009. The organizational study performed by the Novak Consulting Group, dated January 2013, found that the City was not recovering the full cost of providing solid waste services.

The Council adopts this ordinance pursuant to its authority under §15.2-931, §15.2-2143, and §15.2-2119 of the Code of Virginia (1950), as amended. Public notice has been duly made and public hearings held in accordance with the requirements of the Code of Virginia.

SEC. II. Amending water and sewer fees and charges.

NOW, THEREFORE, BE IT ORDAINED that the City's *Water and Wastewater Rates and Charges*, regulations promulgated and published by the Director of Public Works, are hereby amended to incorporate the following changes.

1. Metered water service.

For metered water service, the bi-monthly service charge currently consists of a meter fee based upon a nominal meter size and a consumption fee based upon metered consumption. Both components of such charge are hereby increased, as follows:

Bi-monthly Fixed Fee – Water		
Meter Size	Current	Effective July 1, 2013
0.625"	8.31	9.67
0.750"	10.96	12.75
1"	21.64	25.17
1.25" & 1.5"	48.04	55.89
2"	86.55	100.69
3"	205.12	238.63
4"	346.31	402.88
6"	779.18	906.46
8"	1,328.05	1,544.98

Bi-Monthly Consumption Fee – Water		
Unit	Current	Effective July 1, 2013
Per 1000 Gallons	2.08	2.18

2. Sanitary sewer service rates.

The bi-monthly sanitary sewer service charge currently consists of a meter fee based upon a nominal water meter size and a consumption fee based upon metered water consumption. Both components of the charge are hereby increased, as follows:

Bi-monthly Fixed Fee – Sewer		
Meter Size	Current	Effective July 1, 2013
5/8"	11.76	14.76
3/4"	15.49	19.45
1"	30.59	38.40
1 1/4" & 1 1/2"	68.70	86.26
2"	122.31	153.56
3"	289.87	363.95
4"	489.37	614.42
6"	1,101.00	1,382.36
8"	1,807.41	2,269.30

Bi-Monthly Consumption Fee – Sewer		
Unit	Current	Effective July 1, 2013
Per 1000 Gallons	4.23	4.42

3. Refuse collection fee.

The bi-monthly refuse collection fee is charged per account and the charge is based on the type of customer serviced. Both components of the charge are hereby increased, as follows:

Bi-monthly Refuse Collection Fee		
Customer Type	Current	Effective July 1, 2013
High Density	\$25.20	\$28.20
Residential	\$31.50	\$34.50

SEC. III. Effective date.

This ordinance shall take effect July 1, 2013.

Approved as to form:

Kathleen Dooley, City Attorney

Clerk's Certificate

I, the undersigned, certify that I am Clerk of Council of the City of Fredericksburg, Virginia, and that the foregoing is a true copy of Ordinance No. 13-__ duly adopted the City Council meeting held May 14, 2013 at which a quorum was present and voted.

Tonya Lacey, CMC
Clerk of Council



MEMORANDUM

TO: Beverly R. Cameron, City Manager
FROM: Amanda L. Lickey, Budget Manager
DATE: April 23, 2013
SUBJECT: Real Estate Tax Ordinance

ISSUE

The City Council is asked to approve an ordinance setting the new tax rate in conjunction with the FY 2014 operating budget.

RECOMMENDATION

This ordinance requires two readings. The first read is scheduled April 23, 2013 with second read planned for May 14, 2013. Staff recommends City Council approve the attached ordinance on *first* reading. City Council may amend the attached ordinance but cannot increase the tax rate above \$0.83 without a new advertisement of the rate and an additional public hearing.

BACKGROUND

The ordinance recommends setting a tax rate of \$0.78 per \$100 valuation. This is a \$0.04 tax increase over the FY 2013 Adopted Real Estate Tax Rate of \$0.74.

The FY 2014 City Manager's Recommended Budget requires a tax rate of at least \$0.77 to fully fund all items in the budget; based on preliminary discussion from Council staff has presented an ordinance with a tax rate of \$0.78. Based on a median home assessed value of \$256,200, the real estate bill will increase from \$1,895.88 to \$1,998.36 – a difference of \$102.48 per year, or \$8.54 per month.

The median assessed value of a single family home has increased slightly from the prior year. Each penny of real estate tax generates approximately \$345,000; this is adjusted to reflect a 97% collection rate. The overall budget is increasing \$1,809,705 with about \$1,380,000 being attributed to the tax rate adjustment and the remainder to natural growth and land book adjustments.

The City Council held a public hearing on April 16, 2013, concerning the tax rate. There were a few citizens that spoke against the tax increase, but majority of the speakers addressed other matters.

FISCAL IMPACT

The revenue projection for real estate taxes in the FY 2014 budget is \$26,860,845. This is an additional \$345,000 in revenue when compared to the City Manager's Recommended Budget.

Attachment: Ordinance



MOTION:

**April 23, 2013
Regular Meeting
Ordinance No. 13-**

SECOND:

**RE: AN ORDINANCE SETTING THE REAL ESTATE TAX RATE AT \$0.78
PER EVERY \$100.00 OF ASSESSED VALUE OF REAL ESTATE FOR
FISCAL YEAR 2014**

ACTION:

FIRST READ: _____ SECOND READ: _____

IT IS HEREBY ORDAINED by the City Council of the City of Fredericksburg, Virginia as follows:

Section 1: Purpose and Intent.

The purpose of this ordinance is to set the rate of taxation on all taxable real property within the City for the fiscal year beginning on July 1, 2013, and continuing each year thereafter until modified by Council. The authority to levy such tax and to set a tax rate is set forth in Article X, Section 4, of the Virginia Constitution; Chapters 30 and 32 of Title 58.1 of the Code of Virginia (§58.1-3000, et seq.); (§58.1-3200, et seq.); and Section 22 of the Charter of the City of Fredericksburg.

Section 2. Real Property Tax Levied.

For the fiscal year beginning July 1, 2013, and continuing for each fiscal year thereafter until modified by Council, there is hereby imposed and levied on all real estate and improvements thereon in the City not exempt from taxation a tax of seventy eight cents (\$0.78) for every one hundred dollars (\$100.00) of assessed value thereof, for general City and school purposes.

Section 3. Effective Date.

This ordinance shall be effective July 1, 2013.

Approved as to form:

Kathleen Dooley, City Attorney

Clerk's Certificate

I, the undersigned, certify that I am Clerk of Council of the City of Fredericksburg, Virginia, and that the foregoing is a true copy of Ordinance No. 13- duly adopted at a meeting of the City Council held April, 23 2013, at which a quorum was present and voted.

Tonya B. Lacey, CMC
Clerk of Council



MEMORANDUM

TO: Beverly R. Cameron, City Manager
FROM: Amanda Lickey, Budget Manager
DATE: April 23, 2013
SUBJECT: FY 2014 Operating Budget Resolution

ISSUE

The City Council is asked to approve a resolution on first reading adopting the FY 2014 Operating Budget.

RECOMMENDATION

Staff has prepared the attached operating budget for first reading approval. The Council may consider further changes. Second reading approval is scheduled for the May 14, 2013 Council meeting.

BACKGROUND

The attached resolution is the budget resolution for the City for FY 2014. All operating funds are included here. The school operating funds are included are included in this resolution and these funds must be adopted by May 15 or thirty days after the general assembly adopts a budget in order to meet the statutory requirements.

A public hearing was held on April 16, 2013, at which a variety of speakers testified on various topics. Several speakers represented various agencies that requested additional funding for their particular agency.

City Council has had several worksessions where propositions have been considered as part of the FY 2014 operating budget. The budget presented for first reading is the budget originally recommended by the City Manager. Any amendments will be reflected in the resolution presented to Council on the second reading.

FISCAL IMPACT

The attached resolution as it currently stands appropriates a total General Fund of **\$82,587,410**. This represents an increase of 5.14% from the FY 2013 Adopted General Fund Budget. There are three major drivers in the overall budget increase personnel costs, increased transfer to the schools and debt services costs.

The increased cost in salary and benefits are attributed to the 2.0% cost of living adjustment as well as the 1% increase for the second year phase in of the Virginia Retirement System reform, combined with a higher rate for the City's health insurance costs.

The recommended transfer to City Schools is \$26,128,000 a \$1,200,000 increase over the FY 2013 budget. Due to increased student enrollment, the requested School budget includes the addition of 6 full-time positions and 4 part-time positions. These new positions will provide additional instructional capacity in high demand areas of elementary education, math, and foreign languages. Other factors which drive the increase are: a 3.0% salary adjustment (2.0% cost of living increase and 1.0% VRS reform phase-in), higher cost in health insurance and retirement benefits, and costs associated with an energy performance contract.

The FY 2014 budget includes the first full payment, including both principle and interest, on the bonds issued for the construction of our new Courthouse. The increase in debt service is \$682,475.

There are a variety of other funds included in the budget resolution as well, including the main Enterprise Funds:

- ❖ Water
- ❖ Wastewater
- ❖ Transit
- ❖ Parking.

The budget resolution also includes the capital funds, the City Grants Fund, the Social Services Fund, the Comprehensive Services Act Fund, and City fiscal agency funds.

Attachments: FY 2014 Budget Resolution



MOTION:

SECOND:

**April 23, 2013
Regular Meeting
Resolution No. 13-**

**RE: APPROPRIATING FUNDS FOR FISCAL YEAR BEGINNING JULY 1,
2013 THROUGH JUNE 30, 2014**

ACTION:

FIRST READ: _____ SECOND READ: _____

Section 1.

WHEREAS, the City Manager has submitted to the City Council a proposed balanced Fiscal Year 2014 budget necessary for the provision of City services; and,

WHEREAS, a duly advertised public hearing was held on April 16, 2013, at which comments from the public concerning the budget were heard; and

WHEREAS, the City Council has reviewed and made certain revisions to the budget, it is necessary to appropriate sufficient funds to cover the remainder of said budget.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Fredericksburg, Virginia, that the following purposes be authorized and the annual appropriations be made for Fiscal Year 2014 be made from the GENERAL FUND:

Function

City Council.....	\$	207,550
Clerk of Council.....		105,820
City Manager		680,335
Legal Services.....		346,815
Human Resources		413,425
Independent Auditor.....		68,100
Postage Machine & Copy Machine		27,850
Commissioner of the Revenue.....		935,080
Real Estate Assessor		7,000
Board of Equalization.....		5,100
Treasurer.....		808,130
Fiscal Affairs		745,795
Information Systems		1,107,125
Insurance Program		795,100
Safety and Risk Management		100,170
Registrar		215,630
Circuit Court		104,550

General District Court	30,550
Special Magistrate Court	13,000
Juvenile & Domestic Relations Court.....	18,300
Clerk of the Circuit Court.....	778,620
Sheriff	1,870,595
Juvenile Court Services	74,605
Jury Expenses	29,000
Court Appointed Attorney	13,000
Commonwealth's Attorney	1,174,130
Police Department	7,616,900
Auxiliary Police	13,300
Fire Department	4,655,345
Volunteer Fire Company	0
Rescue Services	257,040
Emergency Medical Services	1,032,315
Hazardous Materials.....	29,680
Correction & Detention	3,781,045
Building & Development Services	930,150
Animal Control	104,790
Medical Examiner	1,200
E911 Communications	1,149,520
Public Works Engineering & Administration	781,925
Public Works Street Maintenance.....	1,200,195
Public Works Drainage	251,035
Public Works Street Lights.....	365,000
Public Works Snow Removal.....	119,195
Public Works Industrial Park Rail Spur	15,500
Public Works Traffic Engineering	752,450
Public Works Shop and Garage	1,323,975
Public Works Graphics.....	87,900
Public Works Tree Purchase.....	50,000
Public Works Street Sanitation.....	783,760
Public Works Refuse Collection.....	641,560
Public Works Refuse Disposal	220,450
Public Works Recycling Collection	116,330
Public Facilities – General.....	1,994,185
Health Department	414,280
Rappahannock Area Community Services Board	197,065
Contributions – Other Agencies	330,310
Colleges	43,325
Parks & Recreation Administration	578,600
Parks & Recreation Supervision	613,150
Parks & Recreation Maintenance.....	1,082,050
Parks & Recreation Aquatics.....	141,960

Museums.....	115,975
Central Rappahannock Regional Library	1,258,485
Planning	560,355
Community Development	143,070
Board of Zoning Appeals	1,600
Architectural Review Board	2,000
Clean and Green Commission	3,000
Economic Development & Tourism	1,010,905
Transfer to School Fund	26,128,000
Transfer to Capital	945,000
Transfer to Debt Service Funds - Education	3,427,647
Transfer to Debt Service Funds - Courthouse	2,139,063
Transfer to Debt Service Funds - Other	1,616,175
Transfer to Public Assistance	1,011,670
Transfer to Victim Witness Program (City Grants Fund)	67,170
Transfer to City Grants Fund (Regional Tourism)	121,000
Transfer to City Grants Fund (Other).....	162,615
Transfer to CSA	792,320
Transfer to School Grants – Head Start	215,500
Transfer to City Grants (Arts).....	10,000
Transfer to EDA Fund.....	30,000
Transfer to Property Maintenance and Preservation Fund	100,000
Attrition Savings	(150,000)
Contingency	525,000
Total General Fund.....	\$82,587,410

BE IT FURTHER RESOLVED, that the annual appropriation in the sum of **\$37,504,901** for Fiscal Year 2014 be made from the SCHOOL OPERATING FUND (Fund 205) which monies are to be expended in accordance with law for purposes authorized and approved by the Fredericksburg City School Board; and

BE IT FURTHER RESOLVED, that the annual appropriation in the sum of **\$4,829,500** for Fiscal Year 2014 be made from the SCHOOL GRANTS FUND (Fund 211) which monies are to be expended in accordance with law for purposes authorized and approved by the Fredericksburg City School Board; and

BE IT FURTHER RESOLVED, that the annual appropriation in the sum of **\$4,150,050** for Fiscal Year 2014 be made from the SOCIAL SERVICES FUND (Fund 201) which monies are to be expended in accordance with law for purposes authorized and approved by the City Council and the City of Fredericksburg Social Services Board; and

BE IT FURTHER RESOLVED, that the annual appropriation in the sum of **\$1,427,445** for Fiscal Year 2014 be made from the CITY GRANTS FUND (Fund 210) which monies are to be expended in accordance with law for purposes authorized and approved by the City Council; and

BE IT FURTHER RESOLVED, that the annual appropriation in the sum of **\$30,000** for Fiscal Year 2014 be made from the ECONOMIC DEVELOPMENT AUTHORITY FUND (Fund 215) which monies are to be expended in accordance with law for purposes authorized and approved by the City Council; and

BE IT FURTHER RESOLVED, that the annual appropriation in the sum of **\$50,000** for Fiscal Year 2014 be made from the REGIONAL TRANSPORTATION FUND (Fund 222) which monies are to be expended in accordance with law for purposes authorized and approved by the City Council; and

BE IT FURTHER RESOLVED, that the annual appropriation in the sum of **\$100,000** for Fiscal Year 2014 be made from the BLIGHT ABATEMENT AND HISTORIC PRESERVATION FUND (Fund 228) which monies are to be expended in accordance with law for purposes authorized and approved by the City Council; and

BE IT FURTHER RESOLVED, that the annual appropriation in the sum of **\$3,755,238** for Fiscal Year 2014 be made from the GENERAL OBLIGATION BOND FUND (Fund 401) which monies are to be expended in accordance with law for purposes authorized and approved by City Council; and

BE IT FURTHER RESOLVED, that the annual appropriation in the sum of **\$1,995,010** for Fiscal Year 2014 be made from the WATER AND SEWER BOND FUND (Fund 402) which monies are to be expended in accordance with law for purposes authorized and approved by City Council; and

BE IT FURTHER RESOLVED, that the annual appropriation in the sum of **\$3,427,647** for Fiscal Year 2014 be made from the EDUCATION BOND FUND (Fund 403) which monies are to be expended in accordance with law for purposes authorized and approved by City Council; and

BE IT FURTHER RESOLVED, that the annual appropriation in the sum of **\$3,650,230** for Fiscal Year 2014 be made from the WATER ENTERPRISE FUND (Fund 501) which monies are to be expended in accordance with law for purposes authorized and approved by the City Council; and

BE IT FURTHER RESOLVED, that the annual appropriation in the sum of **\$7,114,715** for Fiscal Year 2014 be made from the WASTEWATER ENTERPRISE FUND (Fund 502) which monies are to be expended in accordance with law for purposes authorized and approved by the City Council; and

BE IT FURTHER RESOLVED, that the annual appropriation in the sum of **\$5,140,816** for Fiscal Year 2014 be made from the PUBLIC TRANSPORTATION FUND (Fund 503) which monies are to be expended in accordance with law for purposes authorized and approved by the City Council; and

BE IT FURTHER RESOLVED, that the annual appropriation in the sum of **\$673,430** for Fiscal Year 2014 be made from the PARKING FUND (Fund 504) which monies are to be expended in accordance with law for purposes authorized and approved by the City Council; and

BE IT FURTHER RESOLVED, that the annual appropriation in the sum of **\$1,562,322** for Fiscal Year 2014 be made from the RAPPAHANNOCK REGIONAL CRIMINAL JUSTICE ACADEMY FUND (Fund 736) which monies are to be expended in accordance with law for purposes authorized and approved by the City Council and the Rappahannock Regional Criminal Justice Academy Board; and

BE IT FURTHER RESOLVED, that the annual appropriation in the sum of **\$718,398** for Fiscal Year 2014 be made from the RAPPAHANNOCK AREA OFFICE ON YOUTH FUND (Fund 738) which monies are to be expended in accordance with law for purposes authorized and approved by the City Council and the Rappahannock Area Office on Youth Board; and

BE IT FURTHER RESOLVED, that the annual appropriation in the sum of **\$1,973,160** for Fiscal Year 2014 be made from the COMPREHENSIVE SERVICES ACT FUND (Fund 741) which monies are to be expended in accordance with law for purposes authorized and approved by the City Council and the City of Fredericksburg Community Policy Management Team; and

BE IT FURTHER RESOLVED, that the annual appropriation in the sum of **\$207,755** for Fiscal Year 2014 be made from the COURT SERVICES UNIT FUND (Fund 747) which monies are to be expended in accordance with law for purposes authorized and approved by the City Council and the City of Fredericksburg Court Services Unit Board; and

BE IT FURTHER RESOLVED, that the annual appropriation in the sum of **\$1,951,836** for Fiscal Year 2014 be made from the CELEBRATE VIRGINIA SOUTH COMMUNITY DEVELOPMENT AUTHORITY FUND (Fund 753) which monies are to be expended in accordance with law for purposes authorized and approved by the City Council and the Celebrate Virginia South Community Development Authority; and

BE IT FURTHER RESOLVED, that the annual appropriation in the sum of **\$87,365** for Fiscal Year 2014 be made from the RIPARIAN LAND STEWARDSHIP FUND (Fund 801) which monies are to be expended in accordance with law for purposes authorized and approved by the City Council; and

BE IT FURTHER RESOLVED, that the City Manager is authorized to make line-item changes within budget program totals and such changes shall be reported to the City Council by way of periodic financial reports; and

BE IT FURTHER RESOLVED, that the appropriations made herein shall become available for expenditures July 1, 2013 and shall expire June 30, 2014.

Section 2. Operating Fund Revenues.

It is estimated that revenues and other sources will be available during the fiscal year beginning on July 1, 2013 and ending on June 30, 2014 to meet the foregoing appropriations according to the following sources:

General Fund

Local Sources	\$ 74,872,500
The Commonwealth and Federal Government	5,304,910
Transfers from Other funds	585,000
Fund Balance (Designated for Capital)	1,200,000
Fund Balance (Undesignated Unreserved)	625,000
Total	\$ 82,587,410

School Operating Fund

City Appropriation.....	\$ 26,128,000
Transfer from the General Fund – Head Start.....	215,500
Other Local Sources	400,305
Aid from the Commonwealth.....	10,761,096
Total	\$ 37,504,901

School Grants Fund

Cafeteria Sales	\$ 460,000
Other Local Sources	137,000
Aid from the Commonwealth.....	510,000
Aid from the Federal Government	3,722,500
Total	\$ 4,829,500

Social Services Fund – Operating

City Appropriation.....	\$ 1,011,670
Other Local Sources	32,475
Revenue from the Commonwealth.....	1,419,252
Revenue from the Federal Government.....	1,650,313
Balance Forward.....	36,340
Total	\$ 4,150,050

City Grants – Other Miscellaneous

Local Sources	\$ 519,500
Revenue from the Commonwealth	158,360
Revenue from the Federal Government	348,800
Transfer from the General Fund	360,785
Balance Forward	40,000

Total \$ **1,427,445**

Economic Development Authority Fund

Transfer from General Fund	\$ 30,000
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Total \$ **30,000**

Regional Transportation Fund

Local Sources	\$ 50,000
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Total \$ **50,000**

Blight Abatement and Historic Preservation Fund

Transfer from General Fund	\$ 100,000
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Total \$ **100,000**

Debt Service Funds

General Fund Transfer (General)	\$ 1,616,175
General Fund Transfer (Education)	3,427,647
General Fund Transfer (Court Debt)	2,139,063
Transfer from Water Fund	276,585
Transfer from Sewer Fund	1,718,425

Total \$ **9,177,895**

Water Fund

Local Sources	\$ 2,980,230
Balance Forward	670,000

Total \$ **3,650,230**

Wastewater Fund

Local Sources	\$ 4,989,715
Balance Forward	2,125,000

Total \$ 7,114,715

Public Transportation Fund

Local Sources \$ 2,429,615
Revenue from the Commonwealth..... 803,183
Revenue from the Federal Government..... 1,187,077
Balance Forward..... 720,941

Total \$ 5,140,816

Parking Fund

Local Sources \$ 529,210
Balance Forward..... 144,220

Total \$ 673,430

Rappahannock Regional Criminal Justice Academy Fund

Academy Revenue..... \$ 1,562,322

Total \$ 1,562,322

Rappahannock Area Office on Youth Fund

Office on Youth Revenues \$ 718,398

Total \$ 718,398

Comprehensive Services Act Fund

Local Sources \$ 792,320
The Commonwealth and Federal Government 1,180,840

Total \$ 1,973,160

Court Services Unit Fund

Local Sources\$ 138,397
The Commonwealth of Virginia 57,988
Balance Forward..... 11,370

Total\$ 207,755

Celebrate Virginia South CDA Fund

Local Sources\$ 1,951,836

Total\$ 1,951,836

Riparian Lands Fund

Local Sources\$ 87,365

Total\$ 87,365

Section 3. Tax Rate

The real estate tax rate is set at \$0.77 per \$100 real estate valuation, in accordance with Ordinance 13-xx.

Section 4. FY 2014 Capital Budget

WHEREAS, the City Manager has submitted to the City Council a Fiscal Year 2014 capital budget for the City's various capital funds; and

WHEREAS, the City Council wishes to appropriate the funds necessary to move forward on these projects;

NOW, THEREFORE, BE IT FURTHER RESOLVED that the annual appropriation in the sum of \$590,000 for Fiscal Year 2014 be made from the PUBLIC EDUCATION CAPITAL FUND (Fund 301) which monies are to be expended in accordance with law for purposes authorized and approved by the City Council and the Fredericksburg City Public School Board, as follows:

School Facilities.....	\$ 70,000
School Computer Technology	250,000
School Bus Replacement.....	270,000

Total Public Education Capital Fund.....\$ 590,000

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the annual appropriation in the sum of \$900,000 for Fiscal Year 2014 be made from the PUBLIC WORKS CAPITAL FUND (Fund 302) which monies are to be expended in accordance with law for purposes authorized and approved by the City Council, as follows:

Culvert Replacement.....	\$ 100,000
Pavement Rehabilitation.....	800,000

Total Public Works Capital Fund \$ 900,000

BE IT FURTHER RESOLVED, that the annual appropriation in the sum of \$5,265,000 for Fiscal Year 2014 be made from the WATER SYSTEM IMPROVEMENT FUND (Fund 303)

which monies are to be expended in accordance with law for purposes authorized and approved by the City Council, as follows:

Internal System Improvements	\$ 350,000
Motts Run Water Treatment Plant Improvements	2,900,000
College Heights Water System Upgrades	1,715,000
System Assessment	300,000
Total Water System Improvement Fund	\$ 5,265,000

BE IT FURTHER RESOLVED, that the annual appropriation in the sum of \$350,000 for Fiscal Year 2014 be made from the WASTEWATER SYSTEM IMPROVEMENT FUND (Funds 304) which monies are to be expended in accordance with law for purposes authorized and approved by the City Council, as follows:

Inflow and Infiltration Abatement	\$ 250,000
City Share of FMC Plant Improvements	750,000
System Assessment	150,000
City WWTP Upgrades	400,000

Total Wastewater System Improvement Fund \$ **1,550,000**

BE IT FURTHER RESOLVED, that the annual appropriation in the sum of \$939,000 for Fiscal Year 2014 be and it is hereby made from the PUBLIC FACILITIES CAPITAL FUND (Fund 305) which monies are to be expended in accordance with law for purposes authorized and approved by the City Council, as follows:

Contingency – Public Facilities Repairs	\$ 100,000
Computer Replacements.....	189,000
Pathways – Virginia Central Railway Trail.....	500,000
Contingency – Parks Maintenance.....	100,000
Roof Replacement.....	50,000
Total Public Facilities Capital Fund.....	\$ 939,000

BE IT FURTHER RESOLVED, that the annual appropriation in the sum of \$490,000 for Fiscal Year 2014 be made from the PUBLIC SAFETY CAPITAL FUND (Fund 306) which monies are to be expended in accordance with law for purposes authorized and approved by the City Council, as follows:

Fire Equipment – Ambulance	\$ 220,000
Self-Contained Breathing Apparatus Replacement	\$ 90,000
Police Camera System.....	\$ 180,000

Total Public Safety Capital Fund\$ 490,000

BE IT FURTHER RESOLVED, that the annual appropriation in the sum of \$16,342,125 for Fiscal Year 2014 be made from the NEW COURT CONSTRUCTION FUND (Fund 315) which monies are to be expended in accordance with law for the purposes authorized and approved by the City Council, as follows:

New Court Construction..... \$ 16,342,125

Total New Court Construction Fund\$ 16,342,125

BE IT FURTHER RESOLVED, that the appropriations made herein shall become available for expenditures July 1, 2013 and shall expire June 30, 2013.

Section 5. Capital Fund Revenues

It is estimated that revenues and other sources will be available during the fiscal year beginning on July 1, 2013 and ending on June 30, 2014 to meet the foregoing appropriations according to the following sources:

Public Education Capital Fund

Transfer from the General Fund..... \$ 590,000

Total Public Education Capital Fund..... \$ 590,000

Public Works Capital Fund

Fines and Forfeitures (Weight Enforcement)..... \$ 25,000

Surplus Motor Fuels Taxes (Paving Program) 255,000

Balance Forward..... 544,000

Transfer from the General Fund..... 76,000

Total Public Works Capital Fund \$ 900,000

Water Capital Improvement Fund

Availability Fees..... \$ 400,000

Bond Proceeds..... 4,615,000

Balance Forward..... 250,000

Total Water Capital Improvement Fund \$ 5,265,000

Wastewater System Improvement Fund

Availability Fees..... \$ 400,000

Bond Proceeds.....	1,150,000
Total	\$ 1,550,000
<u>Public Facilities Capital Fund</u>	
Transfer from the General Fund.....	\$ 279,000
Public Facilities Capital Fund Balance	160,000
Revenue - Federal Government – FY 2010 CMAQ (VCR)	500,000
Total Public Facilities Capital Improvement Fund	\$ 939,000
<u>Public Safety Capital Fund</u>	
Balance Forward.....	\$ 490,000
Total Public Safety Capital Improvement Fund	\$ 490,000
<u>New Court Construction Fund</u>	
Bond Proceeds.....	\$ 16,292,125
Court Construction Fee	50,000
Total New Court Construction Fund	\$ 16,342,125

Votes:

Ayes:

Nays:

Absent from Vote:

Absent from Meeting:

Clerk's Certificate

I, the undersigned, certify that I am Clerk of Council of the City of Fredericksburg, Virginia, and that the foregoing is a true copy of Resolution No. 13- duly adopted at the City Council meeting held April 23, 2013 at which a quorum was present and voted.

Tonya B. Lacey, CMC
Clerk of Council



MEMORANDUM

TO: Beverly R. Cameron, City Manager
FROM: Mark Whitley, Assistant City Manager
Robert F. Bell, Director of Human Resources
RE: Award of Contract – Health Insurance Services
DATE: April 15, 2013

ISSUE

The City Manager seeks authorization from City Council to award a contract for administrative services and reinsurance for health insurance. The new contract will take effect July 1, 2013 and open enrollment will commence in May.

RECOMMENDATION

Staff recommends that City Council adopt the attached resolution, authorizing the City Manager to award the contract to Cigna for the policy year FY 2014, with options to renew in FY 2015 and FY 2016.

BACKGROUND

The City of Fredericksburg self-insures for health insurance, and contracts with a health insurance provider for administrative services and aggregate and specific stop-loss protection. The City requested proposals from providers for this service for next year, with options for two additional renewals.

The City received valid proposals from five different providers. City staff evaluated the carriers on several factors, including quality of the health insurance offered, cost and guarantees, quality of plan administration, and wellness programs / cost control. Overall, staff was pleased by the level of interest and the aggressive pricing offered by the majority of the vendors.

City staff is recommending that the Council authorize the City Manager to complete the negotiation and award the contract to Cigna, Inc. Cigna is a national health insurance carrier, and has many clients in both the public and private sectors. The City's account would be served by the Richmond office, and they will provide excellent coverage to employees and covered dependents. Cigna's discounts and fees were comparable to or better than the other carriers. Their plan administration and wellness programs are excellent.

As far as plans, the City currently offers three separate packages with the incumbent carrier, as shown in the following table. Of these options, most City employees are enrolled in the KeyCare 20 product.

Summary of Current Health Insurance Plan Benefits

	KeyCare 20	KeyCare 200	HMO 15
Deductible	\$0	\$200	\$0
Primary Doctor Co-Pay	\$20	20%	\$15
Services	Various co-pays	20% co-insurance for most services	Various co-pays
Out/Pocket Limit (single / with dependents)	\$3,000 / \$6,000	\$2,000 / \$4,000	\$2,500 / \$5,000
Employees Enrolled	345	16	98

Cigna is offering products that closely match the KeyCare products of the incumbent carrier. However, they do not have a product with coverage and premiums that match the Anthem HMO product. The main Cigna product offered by the City, the Cigna Triple Choice 20, is close in benefit design, but premiums will be more expensive.

The City will offer as a third option a Consumer Driven Health Plan (CDHP) with a companion Health Savings Account. The CDHP (presented in the budget as a High Deductible Health Plan, or HDHP) has a \$2,000 deductible for single coverage, and a \$4,000 deductible for dependent coverage. The City would put ½ the deductible into a Health Savings Account on the employee's behalf. Premiums for this option will be significantly lower.

Claims Run-out

If City Council agrees, then the City will be changing carriers. As a self-insurance group, the City will need to adjust our budget for Incurred but Not Reported (IBNR) claims that will be received by the incumbent carrier on or after July 1, 2013. At the close of FY 2012, there is an amount committed on the balance sheet of \$950,000 for health insurance claims. This amount is available to use for any “true-up” required by Anthem for current year claims – that is, if the amount of claims and fees exceeds the amount of the premiums. In addition, that amount is also available to assist with run-out claims. The run-out period for the incumbent carrier is 24 months.

The new carrier is also offering run-in reinsurance protection in their quote, going back to January 2013. This will assist the City as costs incurred prior to the expiration of the current contract will be counted towards the specific stop loss limits, thus providing the City with additional protection against excessive claims costs.

Staff will be requesting an appropriation of the health insurance commitment on the balance sheet in FY 2013 so that the City is in position to handle the claims.

FISCAL IMPACT

Unfortunately for the City, costs for health insurance have risen steadily in the last couple of years.

Fiscal Year	Claims & Fees
FY 2010	\$3,636,742
FY 2011	\$3,673,172
FY 2012	\$4,523,530
FY 2013 (projected as of February)	\$5,055,000

Anthem's projected expenses for the FY 2013 renewal was \$4,793,352. The City may owe an amount for true-up in FY 2013, if the final claims exceed the premiums plus the balance from prior history. The projected expected claims for Cigna next fiscal year is \$5,124,047, and the maximum liability is \$5,648,122.

The following table shows the Per Employee Per Year calculation used to construct the last several budgets:

FY 2010	\$7,800
FY 2011	\$8,500
FY 2012	\$8,500
FY 2013	\$9,150

The FY 2014 original estimate was \$10,470; this was developed using a combination of employee premium share increases and the incumbent's base quotation. After the development of this contract with the new carrier, the City's PEPY calculation is revised to \$10,300. The new calculation provides approximately \$45,000 in savings in the General Fund.



MOTION:

**April 23, 2013
Regular Meeting
Resolution No. 13-**

SECOND:

**RE: AUTHORIZING THE CITY MANAGER TO AWARD A CONTRACT
FOR HEALTH INSURANCE ADMINISTRATIVE SERVICES AND
REINSURANCE TO CIGNA FOR FY 2014**

ACTION:

WHEREAS, the City of Fredericksburg provides group health insurance coverage to its employees, their dependents and certain retirees, on a shared cost basis; and

WHEREAS, the City of Fredericksburg contracts with a recognized health insurance provider for administrative services related to the health insurance plan, as well as re-insurance coverage to limit the group plan's liability in the event of excessive individual or aggregate claims; and

WHEREAS, after requesting proposals for these services for FY 2014 with options to renew for two additional years, the City selected Cigna, Incorporated as the first-ranked vendor, and has negotiated terms and pricing with Cigna; and

NOW, THEREFORE, BE IT RESOLVED that the City Manager is authorized to execute a contract for health insurance administrative services and re-insurance with Cigna for FY 2014, and

BE IT FURTHER RESOLVED, that the City may renew this contract in FY 2015 and FY 2016, subject to appropriation and at the discretion of the City.

Votes:

Ayes:

Nays:

Absent from Vote:

Absent from Meeting:

Clerk's Certificate

I, the undersigned, certify that I am Clerk of Council of the City of Fredericksburg, Virginia, and that the foregoing is a true copy of Resolution No. 13- duly adopted at a meeting of the City Council meeting held April 23, 2013 at which a quorum was present and voted.

***Tonya B. Lacey, CMC
Clerk of Council***



MEMORANDUM

TO: Beverly R. Cameron, City Manager
FROM: Mark Whitley, Assistant City Manager
RE: Amending the FY 2013 Budget for Health Insurance Claims Expenditures
DATE: April 16, 2013

ISSUE

City Council is asked to appropriate General Fund balance to pay health insurance claims.

RECOMMENDATION

Staff recommends approval of the attached resolution on first reading.

BACKGROUND

The staff is recommending the development of an agreement between the City and a new insurance carrier, Cigna, for health insurance administrative services.

The current carrier, Anthem, is entitled to bill the City for claims that are incurred during the current contract period – through June 30, 2013 – but not reported by the medical providers for payment to Anthem until after the new contract is underway. These claims are referred to as “claims run-out” or by the acronym IBNR (Incurred But Not Reported).

The first source of payment for IBNR is the balance of funds residing in the City’s account at Anthem. Through the March statement, that amount is \$300,420.¹ However, claims have been running in excess of premiums, and this amount may be zero at June 30, 2013. If the balance is exhausted at the close of FY 2013, the City may face a true-up payment to Anthem for current claims, in addition to the IBNR issue.

At the close of FY 2012, the City had assigned an amount of \$950,000 of General Fund Balance for health insurance claims. During FY 2012, the City received a payment of \$300,000 from Anthem based on the activity in the health insurance fund for FY 2011 and FY 2012, which was very good. The staff recommends adding this payment to the balance assigned for health insurance claims.

In order to lower the overall costs for premiums during the current year, FY 2013, the budget used an amount of \$250,000 of the assignment for health insurance claims. The assignment of

¹ Anthem’s March statement did indicate that they are running behind in processing pharmaceutical claims, which will be included with the April statement.

the FY 2012 payment to the balance for health insurance claims would bring the total assigned for health insurance claims, with all of the above activity, to \$1,000,000.

The attached resolution accomplishes the assignment of the additional reserve, plus appropriates the balance for health insurance claims run-out to recognize these expenditures and create a liability for claims run-out.

Anthem's estimate of claims run-out is \$466,302. Our health insurance consultant, Wells Fargo, believes that this estimate may be low because of recent claims experience, and their estimate is \$613,038. The attached resolution uses the Wells Fargo estimate for future health insurance claims to develop the requested expenditure.

The attached resolution does not take into account any true-up which may be required from Anthem for FY 2013 activity for claims received prior to June 30. There may not be a true-up required, and if there is a true-up required its amount will not be known until after the end of the fiscal year. The City will need to handle any required true-up as part of the fiscal year wrap-up activities.

FISCAL IMPACT

The attached resolution assigns an amount of \$300,000 to the General Fund balance assigned for health insurance claims. This represents the \$300,000 one-time payment from Anthem received during that period. The unassigned balance will be reduced by the same amount - leaving an amount of \$19,925,801, which does not include other FY 2013 activity.

The attached resolution also appropriates a total of \$613,038 in the General Fund to create a liability for health insurance claims incurred during FY 2013, but not reported until after July 1, 2013. The source of the funds is the General Fund balance assigned for health insurance claims. The balance of the amount assigned for health insurance claims after this resolution will be \$386,962.



MOTION:

**April 23, 2013
Regular Meeting
Resolution No. 13- __**

SECOND:

RE: AMENDING THE FY 2013 BUDGET TO ADD TO THE FUND BALANCE ASSIGNED FOR HEALTH INSURANCE CLAIMS AND TO APPROPRIATE \$613,038 FOR HEALTH INSURANCE CLAIMS RUN-OUT

ACTION:

WHEREAS, City Council has authorized the City Manager to award a contract for health insurance reinsurance and claims administration to Cigna; and

WHEREAS, the City now must pay claims that are incurred before June 30, but not reported to the current insurance company for payment; and

WHEREAS, the City has an amount of balance assigned for health insurance claims; and

WHEREAS, the City received a one-time payment from Anthem during FY 2012 which may be added to the balance assigned for health insurance claims; and

WHEREAS, City Council wishes to add to the balance assigned for health insurance claims and appropriate funds for claims run-out;

NOW, THEREFORE, BE IT RESOLVED that an amount of \$300,000 of unassigned General Fund balance is assigned for the purpose of paying health insurance claims; and

BE IT FURTHER RESOLVED that the following appropriations amending the FY 2013 budget be recorded in the General Fund:

GENERAL FUND

Source

Fund Balance

3-100-061010-0012	Fund Balance (Assigned)	\$	613,038
Department Total:		\$	<u>613,038</u>

Total Source: \$ 613,038

Use

4-100-093100-9891	Health Insurance Claims	\$	613,038
Department Total:		\$	<u>613,038</u>

Total Use: \$ 613,038

Votes:

Ayes:

Nays:

Absent from Vote:

Absent from Meeting:

Clerk's Certificate

I, the undersigned, certify that I am Clerk of Council of the City of Fredericksburg, Virginia, and that the foregoing is a true copy of Resolution No. 13- duly adopted at a meeting of the City Council meeting held April 23, 2013 at which a quorum was present and voted.

Tonya B. Lacey, CMC
Clerk of Council



MEMORANDUM

TO: Mayor Greenlaw and Members of City Council
FROM: Beverly R. Cameron, City Manager
DATE: April 16, 2013 (*Updated April 19, 2013*)
SUBJECT: City Manager's Update

Highlights of major activities and other notable developments:

B&D Official Elected to Leadership Position in Professional Association - At the conference for the Virginia Building and Code Officials Association (VBCOA) held last October in Fredericksburg, John Walsh was elected Sergeant-at-Arms of the organization. The VBCOA is a 1000+ member association of building code professionals and is a standalone chapter for the International Code Conference (ICC), the parent association that writes codes for 48 of the 50 states in the U.S. and more than 20 nations worldwide. The VBCOA dates back to 1929 and has been recognized as one of the top two chapters within the ICC for six of the last eight years. Mr. Walsh is the first officer to be elected from Planning District 16 and only the second maintenance official ever elected to a leadership position within the organization.

On April 8, B&D staff attended the VBCOA mid-year meeting in Charlottesville. The discussion topics included Life Safety for Commercial and Residential buildings.

Energy Training Class - On April 17, the Fredericksburg Area Builders Association along with the City of Fredericksburg and the counties of Spotsylvania, Stafford and King George will be hosting a HVAC Energy Training Class at the Fredericksburg Expo Center. Staff from Building and Development Services will be attending.

Route 3 Traffic Signal Timing Optimization - In late March, traffic signal timing and phasing adjustments were made to all eight signals in the City to optimize traffic flow along the Route 3 corridor, which includes Plank Road/William Street from Gateway Boulevard to Belman Road. Previously, only five of the eight signals operated in coordination with one another, but now all eight signals are coordinated. The signals currently operate on four timing plans that vary depending on the time of day and/or day of the week. Public Works staff and the City's transportation consultant have been monitoring traffic movement in the corridor over the past three weeks and will continue to do so to assure that the adjustments have had the intended effect of improving the traffic flow.

The Academy for Financial Empowerment - On March 21, the Fredericksburg Department of Social Services celebrated the graduation of the inaugural class of the Academy for Financial Empowerment. The Academy is a financial education program geared toward changing the

financial practice behavior of those transitioning from public assistance. DSS partnered with several community organizations to develop and implement the 10-week course, which included both classroom instruction and guidance from a financial mentor. The course covered topics such as banking basics, budgeting, debt reduction, credit repair, and home purchasing. Four participants completed the program and received continuing education credits from Germanna Community College. Preliminary survey results from the participants indicate a positive change in behavior in each of the 15 different financial practices surveyed.



Financial Empowerment graduates and instructor

The financial empowerment program exemplifies what can be accomplished when community organizations with complementary missions partner together. The community partners included Rappahannock United Way, Thrive, The Healing Center, Germanna Community College, Goodwill Industries, CVS Distribution Center, Geico, and several local banking institutions. The contributors provided financial support, services, strategic planning assistance, and classroom donations.

COC Receives HUD Renewal Funding - On March 13, U.S. Department of Housing and Urban Development Secretary Shaun Donovan awarded \$210,121 to four local programs through the Fredericksburg Regional Continuum of Care (CoC). Hope House will receive \$57,009 to provide supportive services for homeless women and children residing at the transitional housing facility. Micah Ecumenical Ministries was awarded \$58,546 to provide permanent supportive housing assistance to end the cycle of homelessness for chronically homeless individuals. Thurman Brisben Center will accept an award of \$36,192 to provide permanent supportive housing assistance, and the George Washington Regional Commission will receive \$58,374 to administer the regional Homeless Management Information System (HMIS). All grant exhibits are available for review on the CoC's website www.fredcoc.org. The City's Community Development Planner, Ms. Marne Sherman, is on the CoC Grant Writing Committee which prepares and submits the annual grant application. HUD is expected to announce the awards for new funding applications in May 2013.

Magistrate's Office Relocation – (Updated 4-19-13) The magistrate's office located on Lafayette Boulevard at the Fredericksburg/Spotsylvania County will be closed permanently as of Monday, April 22. The new magistrate's office is located at 9102 Courthouse Road near the

Spotsylvania County courthouse. As part of the process for the relocation, the Police Department has implemented video conferencing capability with the new site so that officers may conduct bond hearings with the magistrate from the booking area in Police Headquarters. If the circumstances of an arrest are not favorable for video conferencing with the magistrate, officers will transport detainees directly to the jail and use the services of the magistrate located at that facility. Citizens who wish to obtain their own warrants will be directed to use the magistrate at the new Spotsylvania courthouse site.



CITY COUNCIL MEETINGS & EVENTS CALENDAR

City Hall Council Chambers, 715 Princess Anne Street, Fredericksburg, VA 22401

DATE	TIME	EVENT	
4/23/13	5:30 p.m.	Work Session <ul style="list-style-type: none"> FY14 Budget 	Suite, Room 218
	7:30 p.m.	Regular Session – FY14 Budget (1 st Reading)	Chambers
4/30/13	5:45 p.m.	Work Session – Closed <ul style="list-style-type: none"> Staff Evaluations 	Suite, Room 218
5/14/13	5:30 p.m.	Work Session <ul style="list-style-type: none"> Renwick Building 	Suite, Room 218
	7:30 p.m.	Regular Session - FY14 Budget (2 nd Reading)	Chambers
5/28/13	5:30 p.m.	Work Session (tentative)	Suite, Room 218
	7:30 p.m.	Regular Session	Chambers
5/31/13	8:30 a.m.	Canoe Trip on Rappahannock	TBD
6/11/13	7:30 p.m.	Regular Session	Chambers
6/25/13	7:30 p.m.	Regular Session	Chambers
7/9/13	7:30 p.m.	Regular Session	Chambers

[illegible]